



**TUESDAY, OCTOBER 17, 2023**

**CITY OF COLLEGE PARK**

**Hybrid Meeting**

**In Person: 2<sup>nd</sup> Floor Council Chambers, City Hall, 7401 Baltimore Avenue**

**Or Via Zoom: Link to join Webinar <https://zoom.us/j/92398574069>**

**7:30 P.M.**

**MAYOR AND COUNCIL MEETING**

**AGENDA**

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**COLLEGE PARK MISSION**

We provide excellent services, transparent and inclusive governance, and advocate for our residents to enhance the quality of life for our diverse community.

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- 1. MEDITATION**
- 2. PLEDGE OF ALLEGIANCE** – Councilmember Mackie
- 3. ROLL CALL**
- 4. ANNOUNCEMENTS/COMMENTS - MAYOR, COUNCIL, STUDENT LIAISON**
- 5. CITY MANAGER’S REPORT**
- 6. ACKNOWLEDGMENTS**
- 7. PROCLAMATIONS**
- 8. PRESENTATIONS**
- 9. AMENDMENTS TO AND APPROVAL OF THE AGENDA**
- 10. PUBLIC COMMENT ON CONSENT AGENDA AND NON-AGENDA ITEMS** – Speakers are asked to state their name and whether they are a College Park resident, and are given three minutes to address the Council. The speaker’s name and comment will become part of the public record.

- 11. CONSENT AGENDA** – Items on the Consent Agenda are presented for approval through a single motion. A Councilmember may remove an item from the Consent Agenda for placement as an Action Item for separate comment and action. Individuals who wish to comment on a Consent Agenda item may do so during Public Comment.

23-G-156	Approval of minutes from the October 3, 2023 meeting.	Motion By: To: 2 <sup>nd</sup> : Yes: No: Abstain:
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**12. PUBLIC HEARING AND POSSIBLE ACTION ON ORDINANCE 23-O-09:**

- A. Ordinance 23-O-09, An Ordinance Of The Mayor And Council Of The City Of College Park, Amending Chapter 144 "Occupancy Permits", § 144-1 Statement Of Policy, §144-2 Definitions, §144-3 Occupancy Permits Required, §144-7 Revocation; Reinstatement; Renumbering And Amending §144-8, Violations And Penalties; Enacting §144-8 Challenge To Affirmations, §144-9 Short Term Rental Licenses; Host Requirements, §144-10 Incorporation Of County Code Requirements, And Amending Chapter 110, Fees And Penalties, §110-2, Penalties, To Regulate Short-Term Rentals And Require A Short-Term Rental License, Adopt Definitions, Authorize A Challenge To The Application For A Short-Term Rental License By Certain Persons And Entities, Require Short-Term Rental Host Platforms To Require Any Short-Term Rental Host In The City To Submit A Copy Of The Host's City Rental License To The Platform, Prior To The Rental Being Listed On The Platform, And To Set Fines For Violation.

**13. ACTION ITEMS**

23-O-08	Consideration of Ordinance 23-O-08, An Ordinance Of The Mayor And Council Of The City Of College Park, Amending Chapter 175 "Taxation", By Enacting Article V, "Property Tax Credit For Elderly Individuals", §175-14 "Establishment Of Tax Credit", §175-15, "Eligibility", §175-16, "Amount And Duration Of Credit", §175-17, "Application For The Tax Credit, And §175-18, "Effective Date Of The Tax Credit" To Authorize The Mayor And Council To Approve A Tax Credit For Elderly Individuals And To Provide The Extent, Duration, And Eligibility Requirements For The Credit As Authorized By §9-258 Of The Taxation-Property Article, Annotated Code Of Maryland.  <b>The Public Hearing was held on October 10, 2023.</b>	Motion By: To: 2 <sup>nd</sup> : Yes: No: Abstain:
23-G-157	Consideration of Business Retention and Attraction Fund grants – Michael Williams, Director of Economic Development	Motion By: To: 2 <sup>nd</sup> : Yes: No: Abstain:

**14. WORKSESSION DISCUSSIONS** (Action On These Items Is Not Expected At This Meeting.)

- A. Discuss an increase in grant value for the City of College Park New Neighbors Homeownership Grant Program for qualified law enforcement personnel – Miriam Bader, Director of Planning (20)
- B. Agenda items for October 26, 2023 Four Cities meeting in New Carrollton

**15. REQUESTS FOR / STATUS OF FUTURE AGENDA ITEMS**

**16. COMMENTS FROM THE AUDIENCE** – Speakers are asked to provide their name and if they are a College Park resident, and are given three minutes to address the Council. Comments will become part of the public record.

**17. COMMENTS FROM THE MAYOR, COUNCIL, STUDENT LIAISON OR CITY MANAGER**

**18. ADJOURN**

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- A. This agenda is subject to change. For the most current information, please contact the City Clerk at 240-487-3501.
  - B. Opportunities for Public Comment:
    - To comment about a topic that is on either the Consent Agenda, or is not on the agenda: Speakers are given three minutes to address the Council during agenda item "Public Comment on Consent and Non-Agenda Items."
    - Public comment is taken during agenda item "Comments from the Audience." Speakers are given three minutes to address the Council.
    - To comment on a Public Hearing: When the Mayor invites public comment, speakers are given three minutes to address the Council. Everyone will have the opportunity to be heard. The Council may take action on the item at the conclusion of the Public Hearing or may take action at a later time.
    - To comment on an Action Item: The Mayor will invite public comment prior to Council deliberation. Speakers are given three minutes to address the Council on that agenda item.
    - If you are unable to participate in the meeting, you may submit written comment on any agenda item by 5:00 p.m. on the day of the meeting. The comment must include the specific topic to which it relates and the full name of the person submitting the comment and whether you are a resident of the City. Written comment should be submitted to [cpmc@collegeparkmd.gov](mailto:cpmc@collegeparkmd.gov).
  - C. You may park for free in the Downtown Parking Garage located at 7306 Yale Avenue to attend this meeting.
  - D. In accordance with the Americans with Disabilities Act, if you need special assistance, please contact the City Clerk's office at 240-487-3501 and describe the assistance that is necessary.

# **23-G-156**

Approval of minutes

**MINUTES**  
**College Park City Council Meeting**  
**Tuesday, October 3, 2023**

**7:30 p.m. – 9:38 p.m.**

**This was a hybrid meeting: Online via Zoom;  
In-person in the Council Chambers of City Hall.**

**PRESENT:** Mayor Kabir; Councilmembers Hew, Kennedy, Esters, Whitney, Mackie, and Rigg.

**ABSENT:** Mayor Pro Tem Mitchell.

**ALSO PRESENT:** Kenneth Young, City Manager; Janeen S Miller, City Clerk; Yvette Allen, Assistant City Clerk; Suellen Ferguson, City Attorney; Stephanie Anderson, City Attorney; Miriam Bader, Director of Planning; Erik Valentine, Community Development Planner; Jacob Vassalotti, GIS Analyst; Bob Ryan, Director of Public Services; Michael Williams, Director of Economic Development; Dhruvak Mirani, Student Liaison; Gannon Sprinkle, Deputy Student Liaison.

Mayor Kabir opened the meeting at 7:30 p.m.

**ANNOUNCEMENTS:**

Councilmember Hew commented on a neighborhood barbeque at Al-Huda School.

Councilmember Esters announced the national emergency test alert tomorrow and said that October is Domestic Violence Awareness month.

Councilmember Mackie announced Breast Cancer Awareness month.

Mr. Sprinkle discussed mental health awareness and LGBTQ history day.

**CITY MANAGER’S REPORT:** Mr. Young announced College Park Day and the DPW clean up days in October.

**ACKNOWLEDGEMENT:** Mayor Kabir introduced the new City Attorney, Stephanie Anderson, from O’Malley, Miles, Nylan & Gilmore.

**PROCLAMATION:** Mayor Kabir read the proclamation for Indigenous Peoples' Day (October 9, 2023)

**AMENDMENTS TO AND APPROVAL OF THE AGENDA:** The agenda was approved as written, Whitney/Mackie, passed 7-0.

### **PUBLIC COMMENT**

**Dave Dorsch, resident:** The City is 78 years old this year. The City should reach out to any residents who have lived here since 1945, or have lived here at least 50 years; the City Hall visitor parking area on Yale Avenue is poorly designed; the Calvert Hills Stormwater Management bid has not gone out.

**CONSENT AGENDA:** A motion was made by Councilmember Mackie and seconded by Councilmember Kennedy to adopt the Consent Agenda, which consisted of the following:

- 23-R-12 Resolution of the Advisory Planning Commission of the City of College Park, Regarding Variance Number CPV-2023-03, Located at 9722 53rd Avenue, College Park, Maryland, Recommending Approval of One Variance and Three Validations: A 3-Foot Variance from Prince George's County Zoning Ordinance Section 27-11002 (a), 7-foot side yard setbacks validation, 5,550-Foot Lot Size Validation, and 50-Foot Lot Width Validation from Section 27-4202 (e) (2) of the Prince George's County Zoning Ordinance, to Construct a 10-foot-wide driveway on the property.
- 23-G-146 Approval of a letter to M-NCPPC requesting it fund certain parks, trails, and recreation projects in College Park.
- 23-G-147 Approval of a parking prohibition on the 5000 block of Nantucket Road between 51st Avenue and Rhode Island Avenue in Hollywood to improve access to the dumpster area behind College Park Plaza from Nantucket Road.

The motion passed 7-0.

### **ACTION ITEM**

- 23-O-09 Introduction of Ordinance 23-O-09, Ordinance of the Mayor and Council of the City of College Park, amending Chapter 144 "Occupancy Permits", § 144-1 Statement of Policy, §144-2 Definitions, §144-3 Occupancy Permits Required, §144-7 Revocation; Reinstatement; renumbering and amending, §144-8, Violations and Penalties; enacting §144-8 Challenge to Affirmations, §144-9 Short Term Rental Licenses; Host Requirements, §144-10 Incorporation of County Code Requirements, and amending Chapter 110, Fees and Penalties,**

**§110-2, Penalties, to Regulate Short-Term Rentals, to Require Short-Term Rental Host Platforms to require any Short-term Rental Host in the city to submit a copy of the Host's Rental License to the Platform, prior to the Rental being listed on the Platform, and to set fines for violation.**

Mr. Ryan said we have been discussing the regulation of short-term rental properties, such as AirBNBs.

Motion by Rigg/Adams to introduce Ordinance 23-O-09, amending Chapter 144 "Occupancy Permits", § 144-1 Statement of Policy, §144-2 Definitions, §144-3 Occupancy Permits Required, §144-7 Revocation; Reinstatement; renumbering and amending, §144-8, Violations and Penalties; enacting §144-8 Challenge to Affirmations, §144-9 Short Term Rental Licenses; Host Requirements, §144-10 Incorporation of County Code Requirements, and amending Chapter 110, Fees and Penalties, §110-2, Penalties, to Regulate Short-Term Rentals, to Require Short-Term Rental Host Platforms to require any Short-term Rental Host in the city to submit a copy of the Host's Rental License to the Platform, prior to the Rental being listed on the Platform, and to set fines for violation.

Mayor Kabir said the Public Hearing will be held on Tuesday, October 17, at 7:30.

**DISCUSSION ITEMS:**

**A. Consideration of Detailed Site Plan DSP-22035, Terrapin House, located at the northeast quadrant of Baltimore Avenue and Hartwick Road, and a Declaration of Covenants and Agreement Regarding Land Use.**

Mr. Valentine gave an overview of the project. The development will be a 6-story mixed use building with 93 units consisting of 298 beds, 4800 sq. ft. of commercial space, and a 2-story parking garage containing 90 spaces. Site currently contains a mix of retail and residential buildings including one single family home and a 3-story apartment building. Because of its adjacency to the Old Town College Park Historic District, the project was reviewed by the Local Advisory Committee. He reviewed the proposed development and the PowerPoint. Vehicular access for retail is from Hartwick Road; residents will access the garage from the Yale Avenue alley. 90 parking spaces are provided which meets the requirement. The surrounding neighborhood is in a residential permit parking Zone 6. Staff recommends prohibiting the residents of this building from obtaining a residential parking permit for the surrounding streets. There will be a Declaration of Covenants that should be signed before the project goes to the Planning Board.

Questions from Council:

Details of retail, how many spaces will fit into 4,800 square feet? Not known at this time.

About the parking - are other multifamily tenants in Zone 6 (Landmark) able to get residential permits? No. We will need to amend Zone 6 to exclude this address.  
Discussion of the current retail tenants.

For the applicant: Attorney Matt Tedesco; Rich Greenberg and other owners, Bohler Engineering; and Architect.

Mr. Tedesco recounted the meetings they had with the neighborhood and their concerns about the project's impact on OT College Park Historic District. They stepped down the building and provided all required parking on site. The project received prior support from the City on the Conceptual Site Plan in 2021 and the Preliminary Plan of Subdivision in 2022.

They are only requesting 2 minor amendments to the DDOZ and agree with the staff's recommendations presented. They had an expert look at the specimen tree on the corner of Hartwick and Yale which is a Willow Oak. The tree is in good health, they made modifications to the building to protect it, and will take necessary steps to reduce impact to tree during construction. Regarding the displacement of the existing retail tenants: They will provide opportunity for existing tenants to come back to the new property.

Discussion: Stormwater retention improves on the existing condition; 12 of the parking spaces are for the retail; they have not had conversations with the tenants yet; Council asked the owner to provide design or build out assistance for the retail tenants; it was not considered feasible to move the house.

Staff will continue to discuss the DOC using tonight's guidance. To agenda next week.

## **B. Update on Business Retention and Attraction Fund**

Mr. Williams gave an update on Campus Village: We have done what we can to help the merchants. Some of them would like to pivot to food trucks. One wants to relocate in the City but the build out is expensive, and the retention fund is only \$75,000. The expressed need is from 15K to 200K. We will work with the owners of Terrapin House to try to retain retailers. Some of our neighboring municipalities are trying to woo our businesses.

Discussion: The 3-cent tax increase on commercial/industrial/multi family could add funding to the retention fund. Interest in enabling food trucks. What criteria are used for evaluating applicants and how many businesses have been helped. We consider the number of jobs the business would bring. Interest in helping small and minority owned businesses. Consider a low yield loan program from the retention fund to help businesses.



**COMMENTS FROM MAYOR, COUNCIL, STUDENT LIAISONS:**

Councilmember Mackie attended the ITGA planning meeting and the Good Neighbor Day planning meeting.

Councilmember Whitney attended a conversation about historic preservation in Lakeland. Mr. Mirani met with Congressman Eric Swalwell, the first student liaison.

**ADJOURN: Motion to adjourn by Esters/Mackie, passed 7-0, and the regular meeting was adjourned 9:38 p.m.**

*Submitted By: Janeen S. Miller, City Clerk*

# **Public Hearing and Possible Adoption**

Ordinance 23-O-09

To Regulate Short-Term Rentals and  
Require a Short-Term Rental License



**CITY OF COLLEGE PARK, MARYLAND  
ACTION ITEM COVER REPORT**

**AGENDA ITEM: 23-O-09**

**Prepared By:** Robert W. Ryan,  
Public Services Director, and  
Suellen Ferguson, City Attorney

**Meeting Date:** 10/17/2023

**Presented By:** Robert W. Ryan  
Public Services Director,  
Suellen Ferguson, City Attorney

**Proposed Consent:** No

**Originating Department:** Public Services and City Attorney

**Action Requested:** Hold a Public Hearing and Approval of Amended Ordinance 23-O-09 to regulate short-term rental properties.

**Strategic Plan Objective:** Objective #4: Enhance safety and quality of enforcement to advance our reputation as a safe City.

**Background/Justification:**

The Mayor and Council have discussed regulation of short-term rentals over the past year. Currently, the City regulates short-term residential rental properties in the same manner as long term residential rental properties. At the Council meeting of October 3, 2023, Ordinance 23-O-09, was introduced to regulate short term rental properties differently than long term rentals, and similarly to Prince George's County short-term rental regulations. The ordinance includes notice to surrounding properties and a provision that allows a resident or owner of real property located within 300 feet of the property to be licensed and any applicable homeowner and neighborhood associations to challenge the facts stated in the application for a short-term rental license, which is stricter than the County's requirements.

The City Attorney has determined that the City does have the ability, by law, to differentiate between short and long-term rentals if it so chooses, and to require registration by a short-term rental platform. The City may also adopt the County law by reference, as it has done with the County Building Code.

The City Attorney has advised that, under the proposed Ordinance, a corporation or LLC cannot qualify as an owner or obtain a short-term rental license.

Also, a tenant is not allowed to separately obtain a short-term host license. Except that it is possible that the owner of a property who is also a short-term host could consent to this.

The amended wording for the ordinance deletes a provision that does not apply, combines two notice sections and conforms the notice provisions for the application to the designation of who can file a challenge to the application.

Copies of the records obtained from the County with respect to properties listed on short term rental platforms that are located in the City are attached.

The Ordinance introduced on 3 October 2023, with amendments, is attached.

**Fiscal Impact:**

Annual permit application fees are collected.

**Equity & Inclusion Impact:**

The proposed ordinance would apply to all property owners and tenants of short-term rental properties equally.

**Council Options:**

1. Approve the proposed amended ordinance as attached.
2. Approve an Ordinance with further amendments.
3. Decide to not approve an Ordinance for short-term rental regulation.

**Staff Recommendation:**

Option #1

**Recommended Motion:**

*I move to adopt Amended Ordinance 23-O-09, Chapter 144 "Occupancy Permits", § 144-1 Statement Of Policy, §144-2 Definitions, §144-3 Occupancy Permits Required, §144-7 Revocation; Reinstatement; Renumbering And Amending, §144-8, Violations And Penalties; Enacting §144-8 Challenge To Affirmations, §144-9 Short Term Rental Licenses; Host Requirements, §144-10 Incorporation Of County Code Requirements, And Amending Chapter 110, Fees And Penalties, §110-2, Penalties, To Regulate Short-Term Rentals, To Require Short-Term Rental Host Platforms To Require Any Short-Term Rental Host In The City To Submit A Copy Of The Host's Rental License To The Platform, Prior To The Rental Being Listed On The Platform, And To Set Fines For Violation, to regulate short-term rental properties.*

**Attachments:**

1. Amended Ordinance 23-O-09.
2. Registry information from County.

**ORDINANCE**  
**OF THE MAYOR AND COUNCIL OF THE CITY OF COLLEGE PARK, AMENDING**  
**CHAPTER 144 “OCCUPANCY PERMITS”, § 144-1 STATEMENT OF POLICY, §144-2**  
**DEFINITIONS, §144-3 OCCUPANCY PERMITS REQUIRED, §144-7 REVOCATION;**  
**REINSTATEMENT; RENUMBERING AND AMENDING, §144-8, VIOLATIONS AND**  
**PENALTIES; ENACTING §144-8 CHALLENGE TO AFFIRMATIONS, §144-9 SHORT**  
**TERM RENTAL LICENSES; HOST REQUIREMENTS, §144-10 INCORPORATION OF**  
**COUNTY CODE REQUIREMENTS, AND AMENDING CHAPTER 110, FEES AND**  
**PENALTIES, §110-2, PENALTIES, TO REGULATE SHORT-TERM RENTALS, TO**  
**REQUIRE SHORT-TERM RENTAL HOST PLATFORMS TO REQUIRE ANY**  
**SHORT-TERM RENTAL HOST IN THE CITY TO SUBMIT A COPY OF THE**  
**HOST'S RENTAL LICENSE TO THE PLATFORM, PRIOR TO THE RENTAL**  
**BEING LISTED ON THE PLATFORM, AND TO SET FINES FOR VIOLATION.**

**WHEREAS**, pursuant to §5-202 of the Local Government Article, Annotated Code of Maryland, the City of College Park (hereinafter, the “City”) has the power to pass such ordinances as it deems necessary to protect the health, safety and welfare of the residents of the City and to prevent and remove nuisances; and

**WHEREAS**, the Mayor and Council have adopted Chapter 144, “Occupancy Permits” of the City Code to license the rental of dwelling units in the City; and

**WHEREAS**, the Mayor and Council have adopted Housing Regulations to ensure the health, safety and welfare of the residents of and visitors to the City, and certain procedures to enforce the Housing Regulations; and

**WHEREAS**, short term rental units, as defined herein, and the use of short-term rental unit platforms, such as Air BnB, have become a recognized separate type of rental dwelling unit licensure; and

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CAPS	: Indicate matter added to existing law.
[Brackets]	: Indicate matter deleted from law.
Asterisks * * *	: Indicate matter remaining unchanged in existing law but not set forth in Ordinance
CAPS	: Indicate matter added in amendment
{Brackets}	: Indicate matter deleted in amendment

**WHEREAS**, short term rentals have previously been licensed and regulated in the same manner as other long term rental dwelling units in the City; and

**WHEREAS**, the Mayor and Council have determined that it is in the public interest to regulate short term rental units as a separate category of occupancy.

**Section 1. NOW THEREFORE, BE IT ORDAINED AND ENACTED**, by the Mayor and Council of the City of College Park, Maryland that Chapter 144 “Occupancy permits”, §144-1, “Statement of policy” be and it is hereby repealed, reenacted and amended to read as follows:

**§ 144-1 Statement of policy.**

~~[Whereas-]~~ There are numerous ~~[dwelling and rooming house]~~ HOUSING units within the City of College Park which are rented, leased or otherwise let to persons other than the owners thereof; and ~~[whereas]~~ there are numerous nonresidential (commercial and industrial) units within the City of College Park.~~[- and whereas-]~~ The Mayor and City Council ~~[of the City of College Park]~~ have the gravest responsibility for the protection of the health, safety, AND welfare ~~[and morals]~~ of all of the ~~[citizens]~~ RESIDENTS of said City and for those of visitors and transients seeking accommodations therein~~[- and whereas-]~~ The Mayor and City Council ~~[of the City of College Park]~~ have adopted a Housing Code and a Nonresidential Property Maintenance Code<sup>III</sup> for the protection of the ~~[citizens]~~ RESIDENTS of AND VISITORS TO ~~[said]~~ THE City and those persons seeking accommodations therein.~~[- i]~~ It is declared to be the policy and intent of the Mayor and City Council ~~[of the City of College Park]~~ that all rental dwelling units, SHORT-TERM RENTAL UNITS, rooming house units and hotel, motel and tourist units and nonresidential premises shall be licensed and regulated in such a manner as to ensure the protection of the health, welfare, AND safety ~~[and morals]~~ of those persons residing or visiting therein and, further, that said licensing and regulations shall be undertaken in the manner REQUIRED BY THIS CHAPTER [set forth hereinbelow].

**Section 2. BE IT FURTHER ORDAINED AND ENACTED** by the Mayor and Council of the City of College Park that Chapter 144, “Occupancy permits”, §144-2, “Definitions” be and it is hereby repealed, reenacted and amended to read as follows:

§144-2 Definitions.

A. The following definitions shall apply in the interpretation and enforcement of this chapter:

\* \* \* \*

**BOOKING SERVICE** MEANS A RESERVATION AND/OR PAYMENT SERVICE PROVIDED BY A PERSON OR ENTITY THAT FACILITATES A SHORT-TERM RENTAL TRANSACTION BETWEEN A HOST AND A PROSPECTIVE SHORT-TERM RENTAL GUEST FOR WHICH THE PERSON OR ENTITY COLLECTS FEES IN CONNECTION WITH THE RESERVATION OR FACILITATES PAYMENT SERVICES BETWEEN THE HOST AND GUEST.

\* \* \* \*

**HOST** MEANS A LEGAL OWNER OF A RESIDENTIAL DWELLING UNIT WHO PROVIDES OR OFFERS TO PROVIDE ALL OR PART OF A RESIDENTIAL DWELLING UNIT FOR SHORT-TERM RENTAL AND HAS OBTAINED A SHORT-TERM RENTAL LICENSE FROM THE CITY. THE HOST MUST PROVIDE PROOF OF OWNERSHIP AND A COPY OF THE HOMESTEAD TAX CREDIT FILING FOR THE DWELLING UNIT.

**HOSTING PLATFORM ("PLATFORM")** MEANS A PERSON OR ENTITY THAT FACILITATES A SHORT-TERM RENTAL BY PROVIDING BOOKING SERVICES THROUGH WHICH A LICENSED HOST MAY LAWFULLY PROVIDE A RESIDENTIAL DWELLING UNIT FOR SHORT-TERM RENTAL USE.

\* \* \* \*

**NUISANCE** MEANS THE FOLLOWING:

AN ACT OR CONDITION KNOWINGLY CREATED, PERFORMED, OR MAINTAINED ON PRIVATE PROPERTY THAT CONSTITUTES A CITY CODE VIOLATION AND THAT:

SIGNIFICANTLY AFFECTS OTHER RESIDENTS OF THE NEIGHBORHOOD;

IS INJURIOUS TO PUBLIC HEALTH, SAFETY, OR WELFARE OF NEIGHBORING RESIDENTS;

OBSTRUCTS THE REASONABLE USE OF OTHER PROPERTY IN THE NEIGHBORHOOD;

IS OCCURRING ON A PROPERTY WHERE THE TENANT, OWNER, OR OTHER OCCUPANT HAS BEEN CONVICTED OF VIOLATIONS OF § 10-201 OR § 10-202 OF THE CRIMINAL LAW ARTICLE, ANNOTATED CODE OF MARYLAND, FOR CONDUCT OCCURRING ON, IN, OR IN RELATION TO THE PROPERTY; OR

A PROPERTY TO WHICH CITY CODE ENFORCEMENT, POLICE OR OTHER LAW ENFORCEMENT AGENCIES HAVE RESPONDED TO COMPLAINTS OR CALLS FOR SERVICE THREE (3) OR MORE TIMES WITHIN ANY TWELVE (12) MONTH PERIOD.

\* \* \* \*

**OWNER OCCUPIED** MEANS THE HOST AND LEGAL OWNER OF A RESIDENTIAL DWELLING UNIT WHO IS PRESENT DURING THE ENTIRE TIME OF THE SHORT-TERM RENTAL. OWNER OCCUPIED SHORT-TERM RENTALS SHALL NOT BE UTILIZED BY A SHORT-TERM RENTAL GUEST FOR MORE THAN 180 DAYS PER CALENDAR YEAR.

**PERMANENT RESIDENT** MEANS AN INDIVIDUAL WHO IS DOMICILED IN THE CITY OF COLLEGE PARK, MAINTAINS A PLACE OF ABODE IN THE CITY OF COLLEGE PARK FOR 180 OR MORE DAYS DURING THE YEAR AND IS THE INDIVIDUAL WHO OWNS THE PROPERTY AND OBTAINS THE HOMESTEAD TAX CREDIT AT THAT ADDRESS. FOR PURPOSES OF THIS SUBTITLE, A HOST MAY HAVE ONLY ONE (1) PERMANENT ADDRESS, WHICH IS THE ADDRESS THE HOST USES TO OBTAIN THE HOMESTEAD CREDIT.

\* \* \* \*

**SHORT-TERM RENTAL** MEANS A RESIDENTIAL DWELLING UNIT OCCUPIED BY A SHORT-TERM RENTAL GUEST, OTHER THAN A PERMANENT OCCUPANT, FOR FEWER THAN 31 CONSECUTIVE DAYS AND NO MORE THAN 90 DAYS PER CALENDAR YEAR, WHERE A HOST RECEIVES MONETARY COMPENSATION FOR SUCH OCCUPANCY, IF THE OWNER IS NOT PRESENT DURING THE RENTAL. A SHORT-TERM RENTAL MAY BE OCCUPIED BY A SHORT-TERM RENTAL GUEST FOR NO MORE THAN 180 DAYS PER CALENDAR YEAR, IF THE HOST IS PRESENT DURING THE SHORT-TERM RENTAL. A SHORT-TERM RENTAL PROVIDER SHALL NOT COMBINE TIME LIMITS FOR SHORT-TERM RENTALS. THE MAXIMUM ALLOWABLE DAYS FOR A SHORT-TERM RENTAL ARE 180 CALENDAR DAYS, PROVIDED ALL REQUIREMENTS ARE MET FOR THAT TIME FRAME. A SHORT-TERM RENTAL IS A TOURIST HOME THAT IS AN ACCESSORY USE TO A DWELLING, BUT DOES NOT INCLUDE A HOTEL, MOTEL, INN, BOARDING HOUSE, GROUP RESIDENTIAL FACILITY, AND FRATERNITY OR SORORITY HOUSE.

**SHORT-TERM RENTAL GUEST** MEANS A TRANSIENT WHO OCCUPIES, OR HAS THE RIGHT TO OCCUPY, A LAWFULLY LICENSED SHORT-TERM RENTAL FOR A PERIOD OF 30 DAYS OR LESS DURING ANY ONE CONTINUOUS STAY. THIS DOES NOT INCLUDE A HOTEL, MOTEL, INN, BOARDING HOUSE, GROUP RESIDENTIAL FACILITY, FRATERNITY OR SORORITY HOUSE.



**SHORT-TERM RENTAL PROVIDER** MEANS A LICENSED HOST WHO LAWFULLY OFFERS FOR RENT A SHORT-TERM RESIDENTIAL RENTAL AND DOES NOT INCLUDE A HOTEL, MOTEL, INN, BOARDING HOUSE, GROUP RESIDENTIAL FACILITY, AND FRATERNITY OR SORORITY HOUSE.

\* \* \* \*

**Section 3.** **BE IT FURTHER ORDAINED AND ENACTED** by the Mayor and Council of the City of College Park that Chapter 144, “Occupancy permit, §144-3, “Occupancy permits required” be and it is hereby repealed reenacted and amended to read as follows:

§144-3 Occupancy permits required.

A. Residential. Before the owner or agent thereof of any dwelling unit, SHORT TERM RENTAL UNIT, BOARDING HOUSE [~~rooming unit~~] or BOARDING[~~rooming~~] house unit or hotel, motel or tourist facility within the confines of the City of College Park shall rent, lease or otherwise let said unit and permit it to be occupied by any person or persons other than THE OWNER [~~himself/herself~~] and members of [~~his/her~~] THE OWNER’S immediate family, THE OWNER[~~he/she~~] shall secure from the City an occupancy permit.

(1) Said occupancy permit shall contain THE FOLLOWING: the name, ADDRESS, TELEPHONE NUMBER AND EMAIL ADDRESS of the owner of said unit[~~his/her address and his/her telephone number~~]. Said occupancy permit shall also specify the exact location of the structure in which said unit is located.

(2) AN APPLICATION FOR A SHORT-TERM RENTAL LICENSE OR A LICENSE RENEWAL MUST BE SIGNED BY THE APPLICANT AND INCLUDE THE STATE SALES TAX AND USE REGISTRATION NUMBER. THE APPLICANT MUST CERTIFY, ATTEST AND ENSURE:

- (A) LIABILITY INSURANCE APPLICABLE TO THE PROPERTY OF AT LEAST \$1,000,000. THE OWNER/HOST MAY UTILIZE A PLATFORM'S LIABILITY INSURANCE IF THE COVERAGE IS AT LEAST \$1,000,000 AND IS APPROVED BY THE DEPARTMENT OF PUBLIC SERVICES.
- (B) THAT EACH SHORT-TERM RENTAL UNIT HAS A WORKING SMOKE DETECTOR AND CARBON MONOXIDE DETECTOR IN EVERY BEDROOM, SLEEPING AREA AND ON ALL HABITABLE FLOORS;

- (C) THAT EACH SHORT-TERM RENTAL UNIT HAS PROPERLY MAINTAINED, SERVICED, AND CHARGED FIRE EXTINGUISHERS MOUNTED IN EVERY BEDROOM, SLEEPING AREA AND ON ALL HABITABLE FLOORS IN COMPLIANCE WITH THE PRINCE GEORGE'S FIRE SAFETY CODE;
- (D) THAT EACH SHORT-TERM RENTAL HAS A POSTING OF THE OWNER'S EMERGENCY CONTACT INFORMATION ON THE INTERIOR OF THE RENTAL, A FLOOR PLAN THAT INDICATES FIRE EXITS AND ESCAPE ROUTES THAT IS CONSPICUOUSLY PLACED ON THE INTERIOR PORTION OF THE MAIN ENTRANCE AND IN EACH ROOM WHERE THERE ARE SLEEPING QUARTERS IN THE SHORT-TERM RENTAL;
- (E) THAT PHOTOS ARE SUBMITTED AS PROOF OF THE CONSPICUOUSLY PLACED POSTING OF THE EMERGENCY CONTACT INFORMATION ON THE INTERIOR OF THE RENTAL, AND THE FLOOR PLAN THAT INDICATES FIRE EXITS AND ESCAPE ROUTES, TO THE DEPARTMENT OF PUBLIC SERVICES;
- (F). THAT THE SHORT-TERM RENTAL IS IN COMPLIANCE WITH ALL APPLICABLE LAWS AND CODES INCLUDING BUT NOT LIMITED TO THIS SECTION, CHAPTER 125 OF THE CITY CODE, AND ALL APPLICABLE PROPERTY MAINTENANCE, ELECTRICAL, PLUMBING AND BUILDING CODES;
- (G) THAT NOTIFICATION OF THE APPLICATION HAS BEEN PROVIDED TO HOMEOWNER ASSOCIATIONS, CONDOMINIUM ASSOCIATIONS, COMMON OWNERSHIP COMMUNITIES, AND COOPERATIVES WHERE THE SHORT-TERM RENTAL IS LOCATED;
- (H) COMPLIANCE WITH THE REQUIREMENTS OF HOMEOWNER ASSOCIATIONS, CONDOMINIUM ASSOCIATIONS, COMMON OWNERSHIP COMMUNITIES, AND COOPERATIVES WHERE THE SHORT-TERM RENTAL IS LOCATED;
- (I) THAT THE SHORT-TERM RENTAL HAS PROVIDED AT LEAST ONE (1) OFF STREET PARKING SPACE FOR EVERY UP TO THREE (3) OVERNIGHT GUESTS;
- (J) THAT THE HOST'S INTENT TO APPLY FOR THE SHORT-TERM RENTAL LICENSE HAS BEEN PROVIDED TO THE FOLLOWING: RESIDENTS IN AND OWNERS OF THE ADJACENT HOMES INCLUDING BUT LIMITED TO ABUTTING AND CONFRONTING PROPERTIES. THE DEPARTMENT OF PUBLIC SERVICES SHALL PROVIDE THE APPROVED NOTIFICATION LETTER FOR SHORT-TERM LICENSE APPLICANTS;
- (K) THAT THE SHORT-TERM RENTAL IS THE PERMANENT RESIDENCE OF THE HOST;
- (L) THAT THE SHORT-TERM RENTAL HAS TWO (2) OUTDOOR TRASH AND ONE (1) RECYCLING RECEPTACLES WITH TIGHT FITTING LIDS;

- (M) THE OWNERSHIP OF THE SHORT-TERM RENTAL PROPERTY TOGETHER WITH A COPY OF THE HOMESTEAD TAX CREDIT FILING IN THE OWNER'S NAME;
  - (N) THAT THE PROPERTY HAS NO OUTSTANDING TAXES OR LIENS AND THE PROPERTY HAS NO CODE VIOLATIONS;
  - (O) THAT ACCURATE AND CURRENT CONTACT INFORMATION OF THE HOST OF THE SHORT-TERM RENTAL IS PROVIDED ON THE APPLICATION; THE CONTACT INFORMATION SHALL INCLUDE THE FOLLOWING:
    - (A) THE HOST'S PRIMARY PHYSICAL MAILING ADDRESS;
    - (B) THE HOST'S CELL PHONE NUMBER;
    - (C) THE HOST'S EMAIL ADDRESS;
  - (P) ACCURATE AND CURRENT INFORMATION OF AN INDIVIDUAL WHO WILL SERVE AS THE EMERGENCY CONTACT, OTHER THAN THE HOST, WHO RESIDES WITHIN 15 MILES OF THE CITY. THE EMERGENCY CONTACT IS RESPONSIBLE FOR RESPONDING TO THE SHORT-TERM RENTAL FOR ANY ISSUES THAT REQUIRE IMMEDIATE ATTENTION. THIS INFORMATION SHALL BE PROVIDED ON THE APPLICATION. THE CONTACT INFORMATION SHALL INCLUDE THE FOLLOWING:
    - 1. THE INDIVIDUAL'S PRIMARY PHYSICAL MAILING ADDRESS;
    - 2. THE INDIVIDUAL'S CELL PHONE NUMBER;
    - 3. THE INDIVIDUAL'S EMAIL ADDRESS;
  - (Q) THAT THE HOST WILL PROVIDE, WITHIN FIVE (5) BUSINESS DAYS, UPDATES TO THE CONTACT INFORMATION IMMEDIATELY OR RISK HAVING THE LICENSE REVOKED OR DENIED;
  - (R) THAT THE HOST WILL PROVIDE A LIST OF ALL THE LICENSED PLATFORMS THE APPLICANT INTENDS TO UTILIZE;
  - (S) THAT THE RULES, AS APPROVED BY THE DEPARTMENT OF PUBLIC SERVICES PER THIS CHAPTER REGARDING SHORT-TERM RENTAL GUESTS, ARE POSTED ON OR BY THE MAIN ENTRANCE USED BY THE TRANSIENTS.
- (3) A RENEWAL APPLICATION SHALL INCLUDE A COPY OF THE SHORT-TERM RENTAL GUEST LOG REQUIRED BY THIS SECTION.
- (4) NO LICENSE FOR A SHORT-TERM RENTAL SHALL BE ISSUED TO A HOST UNTIL THE APPLICATION HAS BEEN SUCCESSFULLY AND SATISFACTORILY COMPLETED AND THE REQUIRED FEE PAID. ALL DOCUMENTATION SHALL BE SUBMITTED AND ALL REQUIREMENTS SHALL BE ADHERED TO PRIOR TO

A DETERMINATION BEING MADE ABOUT THE ISSUANCE OF A SHORT-TERM LICENSE TO THE APPLICANT.

- (5) THE DEPARTMENT MAY REQUIRE EVIDENCE OF ANY OF THE ABOVE REQUIREMENTS IN ANY FORM OR MANNER IT DIRECTS.

~~[(4)]~~(6) All occupancy permits shall be issued to the owner for the structure containing said unit or units and shall be valid for a period of one year.

B. Nonresidential. Each tenant or occupant that is required to obtain a Prince George's County use and occupancy permit for use of a nonresidential premises or unit shall secure from the City a nonresidential occupancy permit, which shall be valid for a period of one year.

C. Occupancy prohibited without valid occupancy permit.

(1) The owner of a dwelling or nonresidential unit for which an occupancy permit is required by the terms of Subsection A or B of this section shall cause said unit to be vacated within 24 hours of the occurrence of the earlier of the following:

(a) The expiration of any lease which continues to be in effect after the occurrence of an event which leaves such dwelling unit without a valid occupancy permit; or

(b) Thirty days after the first day of the month following an event which leaves such ~~[dwelling]~~ unit without a valid occupancy permit.

(2) Said owner shall prevent said unit from being further occupied until a valid occupancy permit is issued by the City for the unit.

D. The owner of a dwelling unit for which an occupancy permit is required by the terms of Subsection A of this section shall obtain the signature of the occupant of such unit on a written statement acknowledging and agreeing to be bound by the provisions of Subsection C hereinabove and to vacate the unit within the time prescribed therein upon the occurrence of an event described in Subsection C(1)(A) ~~[C(2)]~~ or C(1)(B) ~~[C(3)]~~ hereof.

E. Placards. Any dwelling, SHORT TERM RENTAL UNIT, BOARDING HOUSE ~~[rooming]~~ or BOARDING ~~[rooming]~~ house unit, hotel, motel or tourist facility or nonresidential premises which does not have a required occupancy permit may be placarded by the Public Services Department. No person shall deface or remove the placard from any such premises.

F. An occupancy permit issued pursuant to this section is not transferable by the permit holder to another person or entity.

**Section 4.**     **BE IT FURTHER ORDAINED AND ENACTED** by the Mayor and Council of the City of College Park that Chapter 144, “Occupancy permits”, §144-7, “Revocation; reinstatement” be and it is hereby repealed, reenacted and amended to read as follows:

**§144-7 Revocation; reinstatement.**

A. At any time that the Public Services Department shall determine that any such unit does not comply with all of the provisions of all applicable law, it shall order the permit holder or agent thereof to render compliance within a reasonable period of time. If such compliance is not provided, the Public Services Director may order the revocation of the occupancy permit for the structure in which said unit or units are located and proceed with enforcement under applicable provisions of law.

B. A SHORT-TERM RENTAL LICENSE MAY BE SUSPENDED OR REVOKED AT ANY TIME OR NOT RENEWED BASED UPON NON-COMPLIANCE WITH THE REQUIREMENTS OF THIS CHAPTER, THE CITY CODE, OR THE PRINCE GEORGE'S COUNTY CODE.

1. A SHORT-TERM RENTAL LICENSE MAY BE SUSPENDED OR REVOKED DUE TO ISSUANCE OF A CITATION, CORRECTIVE ORDER, OR VIOLATION NOTICE CITING VIOLATIONS OF THE CITY CODE, OR PRINCE GEORGE'S COUNTY CODE, INCLUDING BUT NOT LIMITED TO VIOLATIONS OF ITS BUILDING, ELECTRICAL, PLUMBING OR ZONING CODES.

2. THE DEPARTMENT OF PUBLIC SERVICES HAS THE RIGHT TO ENTER AND INSPECT THE SHORT-TERM RENTAL WITH REASONABLE NOTICE TO THE HOST. FAILURE TO PROVIDE TIMELY ACCESS MAY SERVE AS A BASIS TO ISSUE A VIOLATION NOTICE OR ADMINISTRATIVE CITATION, OR TO SUSPEND OR REVOKE A LICENSE.

3. THE DEPARTMENT OF PUBLIC SERVICES MAY IMMEDIATELY ISSUE A VIOLATION NOTICE OR ADMINISTRATIVE CITATION, OR MAY SUSPEND OR REVOKE A SHORT-TERM RENTAL LICENSE, IF THE OPERATION OF THE SHORT-TERM RENTAL CONSTITUTES A NUISANCE AS DEFINED IN §144-2 OR BECAUSE OF ANY ADVERSE EFFECT TO PUBLIC HEALTH, SAFETY, AND THE GENERAL WELFARE, INCLUDING EXCESSIVE NOISE, TRAFFIC, PHYSICAL ACTIVITY, PUBLIC SAFETY, OR OTHER GOOD CAUSE.

4. THE DEPARTMENT OF PUBLIC SERVICES MAY IMMEDIATELY ISSUE A VIOLATION NOTICE OR ADMINISTRATIVE CITATION OR MAY SUSPEND OR

REVOKE A LICENSE IF UNDER THE BUILDING CODE A STOP WORK OR STOP USE ORDER HAS BEEN ISSUED TO THE ADDRESS.

5. FRAUD, MISREPRESENTATION, FALSE STATEMENT AND INACCURACIES IN THE APPLICATION FOR AN OCCUPANCY PERMIT OR SUPPORTING DOCUMENTS SHALL BE GROUNDS FOR IMMEDIATE REVOCATION OR DENIAL OF THE SHORT-TERM RENTAL LICENSE.

6. ALL THE REQUIREMENTS OF THIS CHAPTER SHALL BE CONTINUOUSLY MAINTAINED THROUGHOUT THE DURATION OF THE LICENSE. FAILURE TO DO SO SHALL BE GROUNDS FOR IMMEDIATE REVOCATION OR DENIAL OF THE SHORT-TERM RENTAL LICENSE.

7. IF A SHORT-TERM RENTAL HOST LICENSE IS SUSPENDED OR REVOKED, THE PUBLIC SERVICES DEPARTMENT SHALL NOTIFY IN WRITING THE HOST AND ALL PLATFORMS ON WHICH THE HOST CURRENTLY LISTS.

B. ~~[Should]~~ REVOCATION OF the occupancy permit for ~~[a structure be revoked because of]~~ noncompliance with the provisions of the City Housing Ordinance~~[, such revocation]~~ may be appealed to the Advisory Planning Commission under the provisions of the Housing Ordinance. REVOCATION OF THE OCCUPANCY PERMIT FOR NON-COMPLIANCE WITH SHORT-TERM RENTAL REQUIREMENTS MAY BE APPEALED TO THE ADVISORY PLANNING COMMISSION WITHIN THIRTY (30) DAYS OF THE REVOCATION. If said permit ~~[shall have been]~~ IS revoked for violations of other laws or ordinances, appeal may only be made to a court of competent jurisdiction of this state.

C. In the event that an occupancy permit is allowed to expire by fault of the permit holder due to the failure to pay the required fees within 20 days from the date of the written notification of payment due, without a reasonable cause, a reinstatement fee shall be imposed as set forth in Chapter 110, Fees and Penalties, and shall be payable with all application fees. Property may be subject to reinspection prior to reinstatement of an occupancy permit, and all fees may be reimposed.

D. In the event that an occupancy permit is revoked for cause, the occupancy permit must be reinstated and a fee paid as set forth in Chapter 110, Fees and Penalties, and all provisions of the Code of the City of College Park must be met before the property may again be occupied. EXCEPT FOR REVOCATIONS OF SHORT-TERM RENTAL LICENSES, in no event will an occupancy permit for a dwelling unit ~~[as to which an occupancy permit]~~ THAT has been revoked for cause be reinstated prior to the expiration of 90 days from the date of revocation. A SHORT-TERM RENTAL LICENSE MAY NOT BE ISSUED FOR A PERIOD OF 3 YEARS AFTER THE LICENSE IS REVOKED TO:

(1) THE FORMER LICENSEE OR A MEMBER OF THE FORMER LICENSEE'S HOUSEHOLD; OR

(2) ANY APPLICANT FOR A LICENSE TO USE THE SAME DWELLING UNIT WHERE THE LICENSE WAS REVOKED.

**Section 5.**     **BE IT FURTHER ORDAINED AND ENACTED** by the Mayor and Council of the City of College Park that Chapter 144, “Occupancy permits”, §144-8, “Challenge to affirmation” be and it is hereby enacted to read as follows:

§144-8 CHALLENGE TO AFFIRMATIONS.

(A) A CHALLENGE TO ANY REQUIRED AFFIRMATION MADE BY THE APPLICANT AS PART OF THE APPLICATION FOR A SHORT-TERM RENTAL PERMIT MAY BE FILED WITH THE DIRECTOR OF PUBLIC SERVICES WITHIN 30 DAYS AFTER THE APPLICATION IS FILED BY:

(1) A RESIDENT OR OWNER OF REAL PROPERTY LOCATED WITHIN 300 FEET OF THE PROPERTY TO BE LICENSED;

(2) ANY APPLICABLE HOMEOWNERS’ ASSOCIATION, CONDOMINIUM, OR HOUSING COOPERATIVE; OR

(3) THE OWNER OF THE UNIT OR THE OWNER’S RENTAL AGENT, IF THE APPLICANT IS NOT THE OWNER.

(B) THE DIRECTOR MUST, WITHIN 30 DAYS AFTER RECEIPT OF THE CHALLENGE:

(1) PROVIDE NOTICE OF THE CHALLENGE TO THE APPLICANT;

(2) REFER THE CHALLENGE TO THE CITY’S ADVISORY PLANNING COMMISSION. THE ADVISORY PLANNING COMMISSION MAY INVESTIGATE ANY QUESTION OF FACT RAISED BY THE CHALLENGE AND MAY REVOKE OR DENY THE LICENSE IF FINDS AFTER A PUBLIC HEARING THAT ONE OR MORE FACTS CERTIFIED BY THE APPLICANT IS FALSE.

**Section 6.** **BE IT FURTHER ORDAINED AND ENACTED** by the Mayor and Council of the City of College Park that Chapter 144, “Occupancy permits”, §144-9, “Short term rental licenses; Host requirements” be and it is hereby enacted to read as follows:

§144-9 SHORT TERM RENTAL LICENSES; HOST REQUIREMENTS.

- (A) NO ONE MAY ENGAGE IN THE BUSINESS OF THE SHORT-TERM RENTALS IN THE CITY WITHOUT HAVING OBTAINED A SHORT-TERM RENTAL LICENSE UNDER THIS CHAPTER.
- (B) NO ONE MAY UTILIZE OR LIST A PROPERTY IN THE CITY ON A HOSTING PLATFORM WITHOUT A SHORT-TERM RENTAL LICENSE FROM THE CITY.
- (D) ANYONE ISSUED A SHORT-TERM RENTAL LICENSE FOR A PROPERTY IN THE CITY:
  - 1. SHALL COLLECT AND REMIT ALL APPLICABLE HOTEL TAXES THROUGH THE PLATFORM;
  - 2. SHALL DISPLAY CONSPICUOUSLY ON INTERIOR OF THE SHORT-TERM RENTAL, THE LICENSE WITH CONTACT INFORMATION OF THE LICENSED HOST, THE EMERGENCY CONTACT PURSUANT TO §144-3(A)(3)(D) AND THE CONTACT INFORMATION FOR THE DEPARTMENT;
  - 3. SHALL NOT RENT THE SHORT-TERM RENTAL FOR MORE THAN 30 CONSECUTIVE DAYS;
  - 4. SHALL NOT RENT THE SHORT-TERM RENTAL MORE THAN 90 DAYS PER CALENDAR YEAR IF THE SHORT-TERM RENTAL IS UNOCCUPIED BY THE OWNER;
  - 5. SHALL NOT RENT THE SHORT-TERM RENTAL MORE THAN 180 DAYS PER CALENDAR YEAR IF THE SHORT-TERM RENTAL IS OWNER OCCUPIED;
  - 6. SHALL NOT COMBINE ALLOWABLE TIME FRAMES TO EXCEED THE PERMISSIBLE CALENDAR DAYS FOR SHORT-TERM RENTALS;
  - 7. SHALL NOT PERMIT MORE THAN A TOTAL OF EIGHT (8) GUESTS AT ANY ONE TIME AND THERE SHALL NOT BE MORE THAN THREE (3) GUESTS PER BEDROOM;
  - 8. SHALL NOT PERMIT ANY OTHER INDIVIDUALS TO UTILIZE THE SHORT-TERM RENTAL OTHER THAN REGISTERED SHORT-TERM RENTAL GUESTS;
  - 9. SHALL NOT RENT A UNIT, OR ANY PORTION THEREOF, BY THE HOUR OR FOR ANY PERIOD OF FEWER THAN 24 CONSECUTIVE HOURS, OR MORE THAN ONCE WITHIN ANY CONSECUTIVE 24-HOUR PERIOD; OR



FOR MULTIPLE BOOKINGS OR RENTALS FOR THE SAME OVERLAPPING TIME PERIODS.

- (E) THE PERSON RENTING A SHORT-TERM RENTAL UNIT SHALL MAINTAIN A LOG OF ALL SHORT-TERM RENTAL GUESTS THAT HAVE RENTED THE SHORT-TERM RENTAL AND WILL PROVIDE THE LOG WHEN APPLYING TO RENEW THE SHORT-TERM RENTAL LICENSE.
  - (1) THE LOG SHALL CONTAIN THE FOLLOWING INFORMATION:
    - (A) THE TOTAL NUMBER OF SHORT-TERM RENTAL GUESTS THAT STAYED IN THE SHORT-TERM RENTAL FOR THE FISCAL YEAR BEGINNING THE FIRST DAY OF JULY OF EACH YEAR AND ENDING THE LAST DAY OF JUNE THE FOLLOWING YEAR;
    - (B) THE TOTAL NUMBER OF SHORT-TERM RENTAL GUESTS THAT STAYED DURING EACH INDIVIDUAL RENTAL;
    - (C) THE DATES THE SHORT-RENTAL IS RENTED BY A SHORT-TERM RENTAL GUEST;
    - (D) THE NUMBER OF DAYS AND DATES THE SHORT-TERM RENTAL WAS OWNER OCCUPIED; AND
    - (E) THE TOTAL NUMBER OF DAYS AND DATES WHEN THE SHORT-TERM RENTAL WAS NOT OWNER OCCUPIED.

**Section 7.**     **BE IT FURTHER ORDAINED AND ENACTED** by the Mayor and Council of the City of College Park that Chapter 144, “Occupancy permits”, §144-10, “Incorporation of County Code registration requirements” be and it is hereby enacted to read as follows:

**§144-10 INCORPORATION OF COUNTY CODE REQUIREMENTS.**

THE PROVISIONS OF COUNTY CODE SEC. 5-175.04, “SHORT-TERM RENTAL HOSTING PLATFORM LICENSE; REQUIREMENTS” AND SEC. 5-175.06, PROHIBITED ACTS, ENFORCEMENT AND PENALTIES; PLATFORMS”, WITH THE EXCEPTION OF SEC. 5-175.06 (F), AS AMENDED, ARE INCORPORATED HEREIN BY REFERENCE AND ARE APPLICABLE IN THE CITY OF COLLEGE PARK. PLATFORMS SHALL REQUIRE ANY SHORT-TERM RENTAL HOST IN THE CITY TO SUBMIT A COPY OF THE HOST'S RENTAL LICENSE TO THE PLATFORM, PRIOR TO THE RENTAL BEING LISTED ON THE PLATFORM. THE CITY WILL PROVIDE ON A MONTHLY BASIS TO LAWFULLY LICENSED PLATFORMS THE FOLLOWING INFORMATION:

- A. THE LICENSE NUMBER FOR ALL LAWFULLY REGISTERED HOSTS;
- B. THE LICENSE NUMBER FOR ALL HOSTS WHO HAVE AN EXPIRED LICENSE;
- 3. THE LICENSE NUMBER FOR ALL HOSTS WHO HAVE A SUSPENDED LICENSE;
- 4. THE LICENSE NUMBER OF ALL HOSTS WHOSE LICENSE HAS BEEN REVOKED; AND
- 5. THE NAME OF INDIVIDUALS WHO HAVE APPLIED FOR A SHORT-TERM RENTAL LICENSE BUT WERE DENIED.

**Section 8.** **BE IT FURTHER ORDAINED AND ENACTED** by the Mayor and Council of the City of College Park that Chapter 144, “Occupancy permits”, §144-8, “Violations and penalties” be and it is hereby repealed, reenacted, renumbered and amended to read as follows:

**[§144-8] §144-11 Violations and penalties.**

- A. Except as may otherwise be specified herein and in addition to any other provisions for occupancy fees, late fees and reinstatement fees, any person violating any of the provisions of this chapter shall be guilty of a municipal infraction, subject to the penalty provided in Chapter 110, Fees and Penalties, of this Code.
- B. Every thirty-day period during which a violation of § 144-3C of this chapter shall continue shall constitute a separate municipal infraction.

**Section 9.** **BE IT FURTHER ORDAINED AND ENACTED** by the Mayor and Council of the City of College Park that Chapter 110, “Fees and penalties”, §110-2, “Penalties” be and it is hereby repealed, reenacted, renumbered and amended to read as follows:

**§110-2 Penalties.**

Unless otherwise noted herein, the violation of a City ordinance or resolution is a municipal infraction. The following fines and/or imprisonment for violations of various ordinances or resolutions are applicable in the City of College Park:

Chapter/Section	Violation	Penalty
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**Ch. 144, Occupancy Permits**

§ <u>144-3A</u> AND B	Failure to obtain occupancy permit	\$1,000
§ <u>144-3C</u>	Failure to prevent occupancy in absence of valid permit	\$1,000
§ <u>144-3D</u>	Failure to secure a written statement signed by the tenant	\$100
§ <u>144-3E</u>	Removal of placard	\$1,000
§ <u>144-5B</u>	False oath	\$400
§ <u>144-5E</u>	During COVID 19 pandemic state of Emergency failure to disclose identity of occupants	\$1,000
	Failure to disclose identity of occupants at all other times	\$75
§ <u>144-6</u>	FAILURE TO ALLOW INSPECTION	\$1,000
§ <u>144-9</u>	SHORT-TERM RENTAL LICENSES; HOST REQUIREMENTS, PER DAY	\$1,000
§ <u>144-10</u>	VIOLATION OF INCORPORATED COUNTY CODE REQUIREMENTS	\$1,000
§ <u>144-[8A]</u> 11A	Chapter	\$100

**Section 10. BE IT FURTHER ORDAINED AND ENACTED** by the Mayor and Council of the City of College Park, upon formal introduction of this proposed Ordinance, which shall be by way of a motion duly seconded and without any further vote, the City Clerk shall distribute a copy to each Council member and shall maintain a reasonable number of copies in the office of the City Clerk and shall post at City Hall, to the official City website, to the City-maintained e-mail LISTSERV, and on the City cable channel, and if time permits, in any City newsletter, the proposed ordinance or a fair summary thereof together with a notice setting out

the time and place for a public hearing thereon and for its consideration by the Council. The public hearing, hereby set for 7:30 p.m. on the 17<sup>th</sup> day of October, 2023, shall follow the publication by at least seven (7) days, may be held separately or in connection with a regular or special Council meeting and may be adjourned from time to time. All persons interested shall have an opportunity to be heard. After the hearing, the Council may adopt the proposed ordinance with or without amendments or reject it.

**Section 3. BE IT FURTHER ORDAINED AND ENACTED** by the Mayor and Council of the City of College Park that this Ordinance shall become effective on \_\_\_\_\_, 2023 provided that, as soon as practicable after adoption, the City Clerk shall post a fair summary of the Ordinance and notice of its adoption at City Hall, to the official City website, to the City-maintained e-mail LISTSERV, on the City cable channel, and in any City newsletter.

If any section, subsection, provision, sentence, clause, phrase or word of this Ordinance is for any reason held to be illegal or otherwise invalid by any court of competent jurisdiction, such invalidity shall be severable, and shall not affect or impair any remaining section, subsection, provision, sentence, clause, phrase or word included within this Ordinance, it being the intent of the City that the remainder of the Ordinance shall be and shall remain in full force and effect, valid and enforceable.

**INTRODUCED** by the Mayor and Council of the City of College Park, Maryland at a regular meeting on the 3<sup>rd</sup> day of October 2023.

**ADOPTED** by the Mayor and Council of the City of College Park, Maryland at a regular meeting on the \_\_\_\_ day of \_\_\_\_\_ 2023.

**EFFECTIVE** the \_\_\_\_ day of \_\_\_\_\_, 2023.

**ATTEST:**

**CITY OF COLLEGE PARK**

By: \_\_\_\_\_ By: \_\_\_\_\_  
Janeen S. Miller, MMC, CERA, City Clerk Fazlul Kabir, Mayor

**APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:**

\_\_\_\_\_  
Suellen M. Ferguson, City Attorney



# CITY OF COLLEGE PARK

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7401 BALTIMORE AVENUE SUITE 201 COLLEGE PARK, MD 20740 | 240.487.3501 | COLLEGEPARKMD.GOV

Notice of Public Hearing for Ordinance 23-O-09, introduced on October 3, 2023:

- Posted to City Bulletin Board on October 6, 2023
- Posted to City Website on October 6, 2023
- Sent to Constant Contact LISTSERV on October 10, 2023

ATTEST:

A handwritten signature in blue ink that reads "Janeen S. Miller".

Janeen S. Miller, City Clerk



## **NOTICE OF PUBLIC HEARING**

**23-O-09**

**TUESDAY, OCTOBER 17, 2023**

**7:30 P.M.**

Ordinance Of The Mayor And Council Of The City Of College Park, Amending Chapter 144 "Occupancy Permits", § 144-1 Statement Of Policy, §144-2 Definitions, §144-3 Occupancy Permits Required, §144-7 Revocation; Reinstatement; Renumbering And Amending, §144-8, Violations And Penalties; Enacting §144-8 Challenge To Affirmations, §144-9 Short Term Rental Licenses; Host Requirements, §144-10 Incorporation Of County Code Requirements, And Amending Chapter 110, Fees And Penalties, §110-2, Penalties, To Regulate Short-Term Rentals, To Require Short-Term Rental Host Platforms To Require Any Short-Term Rental Host In The City To Submit A Copy Of The Host's Rental License To The Platform, Prior To The Rental Being Listed On The Platform, And To Set Fines For Violation.

Click [here](#) to view the staff report.

The Mayor and Council will hold a Public Hearing on this Ordinance on Tuesday, October 27, 2023 at 7:30 p.m. during the Mayor and Council meeting. You may attend the meeting in person at 7401 Baltimore Avenue, 2<sup>nd</sup> Floor Council Chambers, College Park, MD 20740, or use the virtual Zoom platform. To obtain the meeting link or phone number to join the meeting, please visit the [Mayor and Council Meeting page on our website](#). All interested parties will have the opportunity to be heard.

Copies of this Ordinance may be obtained from the City Clerk's Office, 7401 Baltimore Avenue, Suite 201, College Park, MD 20740, by calling 240-487-3501, or from the City's website: [www.collegeparkmd.gov](http://www.collegeparkmd.gov).

If you are unable to participate in the meeting, you may submit written comment prior to the Public Hearing. In order to be received by the Council as part of the record, the comment must include the specific topic to which it relates and the full name and address of the person submitting the comment. Written comment should be submitted no later than 5:00 p.m. on the day of the hearing to [cpmc@collegeparkmd.gov](mailto:cpmc@collegeparkmd.gov).

In accordance with the Americans with Disabilities Act, if you need special assistance, please contact the City Clerk's Office and describe the assistance that is necessary.

For additional information please contact the City Clerk, Janeen S. Miller, at 240-487-3501.



# **23-O-08**

Possible Adoption of  
Ordinance 23-O-08

Amending Chapter 175 "Taxation" to  
Authorize the Mayor and Council to  
Approve a Tax Credit for Elderly Individuals



**CITY OF COLLEGE PARK, MARYLAND  
ACTION ITEM COVER REPORT**

**AGENDA ITEM: 23-O-08**

**Prepared By:** Gary Fields  
Finance Director

**Meeting Date:** 10/17/23

**Presented By:** Gary Fields  
Finance Director

**Proposed Consent:** No

**Originating Department:** Finance

**Action Requested:** Adoption of Ordinance 23-O-08 providing for an Elderly Property Tax Credit.

**Strategic Plan Objective:** OKR 8 – Foster and sustain an affordable and stable City for individuals and families to live, work, play and retire here.

**Background/Justification:**

The Mayor and Council have discussed at several City Council meetings implementing an Elderly Property Tax credit (Elderly Credit) for College Park residents.

At the September 26 meeting, Ordinance 23-O-08 providing for an Elderly Credit was introduced, and the required Public Hearing was held October 10, 2023. Council has indicated they will not take any action on the ordinance and are giving the public an additional opportunity to comment on the ordinance before considering any action to be taken at the October 17, 2023 meeting.

In summary, Ordinance 23-O-08 (see Attachment 1) establishes an Elderly Credit of \$250 annually paid for 5 years. All property taxes must be paid before receiving the credit. To be eligible the following must be met:

- At least one homeowner must be age 65 and over.
- The same homeowner has resided at the property for which the credit is sought for at least the previous ten (10) fiscal years.
- The maximum assessed value of the property does not exceed \$500,000. (There are provisions for annual inflation). **Note: Based on SDAT assessed value data, 87.2% of residential properties in the City would qualify for this credit just based on the maximum of \$500,000.**

For the fiscal year 2024 Elderly Credit, the City will accept applications (will be similar to PGC application attached) through December 31, 2023. Property owners who filed an application with Prince George's County (PGC), for the county's Elderly Credit, do not need to file an application with the City.

After this initial year, applications will be due October 1. Applicants are encouraged to apply for the PGC Elderly Credit, through their online portal – a separate City application will not be required.

**Fiscal Impact:**

The FY2024 budget includes \$150,000 for the implementation of a tax credit for the elderly.

**Equity & Inclusion Impact**

A property tax credit for elderly residents would assist eligible residents to better afford to live in the City.

**Council Options:**

1. Adopt Ordinance 23-O-08 as introduced.
2. Amend the proposed budget and then adopt the ordinance as amended.

**Staff Recommendation:**

Option #1 - Adopt Ordinance 23-O-08 as introduced.

**Recommended Motion:**

*I move to adopt Ordinance 23-O-8, an Ordinance of the Mayor and Council of the City of College Park, Maryland amending Chapter 175 "Taxation", by enacting Article V, "Property Tax Credit for Elderly Individuals", §175-14 "Establishment of Tax Credit", §175-15, "Eligibility", §175-16, "Amount and duration of credit", §175-17, "Application for the tax credit, and §175-18, "Effective date of the tax credit" to authorize the Mayor and Council to approve a Tax Credit for Elderly Individuals and to provide the extent, duration, and eligibility requirements for the credit as authorized by §9-258 of the Taxation-Property Article, Annotated Code of Maryland.*

**Attachments:**

1. Draft Ordinance 23-O-08

**ORDINANCE**  
**OF THE MAYOR AND COUNCIL OF THE CITY OF COLLEGE PARK, AMENDING**  
**CHAPTER 144 “OCCUPANCY PERMITS”, § 144-1 STATEMENT OF POLICY, §144-2**  
**DEFINITIONS, §144-3 OCCUPANCY PERMITS REQUIRED, §144-7 REVOCATION;**  
**REINSTATEMENT; RENUMBERING AND AMENDING, §144-8, VIOLATIONS AND**  
**PENALTIES; ENACTING §144-8 CHALLENGE TO AFFIRMATIONS, §144-9 SHORT**  
**TERM RENTAL LICENSES; HOST REQUIREMENTS, §144-10 INCORPORATION OF**  
**COUNTY CODE REQUIREMENTS, AND AMENDING CHAPTER 110, FEES AND**  
**PENALTIES, §110-2, PENALTIES, TO REGULATE SHORT-TERM RENTALS, TO**  
**REQUIRE SHORT-TERM RENTAL HOST PLATFORMS TO REQUIRE ANY**  
**SHORT-TERM RENTAL HOST IN THE CITY TO SUBMIT A COPY OF THE**  
**HOST'S RENTAL LICENSE TO THE PLATFORM, PRIOR TO THE RENTAL**  
**BEING LISTED ON THE PLATFORM, AND TO SET FINES FOR VIOLATION.**

**WHEREAS**, pursuant to §5-202 of the Local Government Article, Annotated Code of Maryland, the City of College Park (hereinafter, the “City”) has the power to pass such ordinances as it deems necessary to protect the health, safety and welfare of the residents of the City and to prevent and remove nuisances; and

**WHEREAS**, the Mayor and Council have adopted Chapter 144, “Occupancy Permits” of the City Code to license the rental of dwelling units in the City; and

**WHEREAS**, the Mayor and Council have adopted Housing Regulations to ensure the health, safety and welfare of the residents of and visitors to the City, and certain procedures to enforce the Housing Regulations; and

**WHEREAS**, short term rental units, as defined herein, and the use of short-term rental unit platforms, such as Air BnB, have become a recognized separate type of rental dwelling unit licensure; and

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CAPS	: Indicate matter added to existing law.
[Brackets]	: Indicate matter deleted from law.
Asterisks * * *	: Indicate matter remaining unchanged in existing law but not set forth in Ordinance
CAPS	: Indicate matter added in amendment
{Brackets}	: Indicate matter deleted in amendment

**WHEREAS**, short term rentals have previously been licensed and regulated in the same manner as other long term rental dwelling units in the City; and

**WHEREAS**, the Mayor and Council have determined that it is in the public interest to regulate short term rental units as a separate category of occupancy.

**Section 1.** NOW THEREFORE, BE IT ORDAINED AND ENACTED, by the Mayor and Council of the City of College Park, Maryland that Chapter 144 “Occupancy permits”, §144-1, “Statement of policy” be and it is hereby repealed, reenacted and amended to read as follows:

**§ 144-1 Statement of policy.**

~~[Whereas-]~~ There are numerous ~~[dwelling and rooming house]~~ HOUSING units within the City of College Park which are rented, leased or otherwise let to persons other than the owners thereof; and ~~[whereas]~~ there are numerous nonresidential (commercial and industrial) units within the City of College Park.~~[- and whereas-]~~ The Mayor and City Council ~~[of the City of College Park]~~ have the gravest responsibility for the protection of the health, safety, AND welfare ~~[and morals]~~ of all of the ~~[citizens]~~ RESIDENTS of said City and for those of visitors and transients seeking accommodations therein~~[- and whereas-]~~ The Mayor and City Council ~~[of the City of College Park]~~ have adopted a Housing Code and a Nonresidential Property Maintenance Code<sup>III</sup> for the protection of the ~~[citizens]~~ RESIDENTS of AND VISITORS TO ~~[said]~~ THE City and those persons seeking accommodations therein.~~[- i]~~ It is declared to be the policy and intent of the Mayor and City Council ~~[of the City of College Park]~~ that all rental dwelling units, SHORT-TERM RENTAL UNITS, rooming house units and hotel, motel and tourist units and nonresidential premises shall be licensed and regulated in such a manner as to ensure the protection of the health, welfare, AND safety ~~[and morals]~~ of those persons residing or visiting therein and, further, that said licensing and regulations shall be undertaken in the manner REQUIRED BY THIS CHAPTER [set forth hereinbelow].

**Section 2.** BE IT FURTHER ORDAINED AND ENACTED by the Mayor and Council of the City of College Park that Chapter 144, “Occupancy permits”, §144-2, “Definitions” be and it is hereby repealed, reenacted and amended to read as follows:

§144-2 Definitions.

A. The following definitions shall apply in the interpretation and enforcement of this chapter:

\* \* \* \*

**BOOKING SERVICE** MEANS A RESERVATION AND/OR PAYMENT SERVICE PROVIDED BY A PERSON OR ENTITY THAT FACILITATES A SHORT-TERM RENTAL TRANSACTION BETWEEN A HOST AND A PROSPECTIVE SHORT-TERM RENTAL GUEST FOR WHICH THE PERSON OR ENTITY COLLECTS FEES IN CONNECTION WITH THE RESERVATION OR FACILITATES PAYMENT SERVICES BETWEEN THE HOST AND GUEST.

\* \* \* \*

**HOST** MEANS A LEGAL OWNER OF A RESIDENTIAL DWELLING UNIT WHO PROVIDES OR OFFERS TO PROVIDE ALL OR PART OF A RESIDENTIAL DWELLING UNIT FOR SHORT-TERM RENTAL AND HAS OBTAINED A SHORT-TERM RENTAL LICENSE FROM THE CITY. THE HOST MUST PROVIDE PROOF OF OWNERSHIP AND A COPY OF THE HOMESTEAD TAX CREDIT FILING FOR THE DWELLING UNIT.

**HOSTING PLATFORM ("PLATFORM")** MEANS A PERSON OR ENTITY THAT FACILITATES A SHORT-TERM RENTAL BY PROVIDING BOOKING SERVICES THROUGH WHICH A LICENSED HOST MAY LAWFULLY PROVIDE A RESIDENTIAL DWELLING UNIT FOR SHORT-TERM RENTAL USE.

\* \* \* \*

**NUISANCE** MEANS THE FOLLOWING:

AN ACT OR CONDITION KNOWINGLY CREATED, PERFORMED, OR MAINTAINED ON PRIVATE PROPERTY THAT CONSTITUTES A CITY CODE VIOLATION AND THAT:

SIGNIFICANTLY AFFECTS OTHER RESIDENTS OF THE NEIGHBORHOOD;

IS INJURIOUS TO PUBLIC HEALTH, SAFETY, OR WELFARE OF NEIGHBORING RESIDENTS;

OBSTRUCTS THE REASONABLE USE OF OTHER PROPERTY IN THE NEIGHBORHOOD;

IS OCCURRING ON A PROPERTY WHERE THE TENANT, OWNER, OR OTHER OCCUPANT HAS BEEN CONVICTED OF VIOLATIONS OF [§ 10-201](#) OR [§ 10-202](#) OF THE CRIMINAL LAW ARTICLE, ANNOTATED CODE OF MARYLAND, FOR CONDUCT OCCURRING ON, IN, OR IN RELATION TO THE PROPERTY; OR

A PROPERTY TO WHICH CITY CODE ENFORCEMENT, POLICE OR OTHER LAW ENFORCEMENT AGENCIES HAVE RESPONDED TO COMPLAINTS OR CALLS FOR SERVICE THREE (3) OR MORE TIMES WITHIN ANY TWELVE (12) MONTH PERIOD.

\* \* \* \*

**OWNER OCCUPIED** MEANS THE HOST AND LEGAL OWNER OF A RESIDENTIAL DWELLING UNIT WHO IS PRESENT DURING THE ENTIRE TIME OF THE SHORT-TERM RENTAL. OWNER OCCUPIED SHORT-TERM RENTALS SHALL NOT BE UTILIZED BY A SHORT-TERM RENTAL GUEST FOR MORE THAN 180 DAYS PER CALENDAR YEAR.

**PERMANENT RESIDENT** MEANS AN INDIVIDUAL WHO IS DOMICILED IN THE CITY OF COLLEGE PARK, MAINTAINS A PLACE OF ABODE IN THE CITY OF COLLEGE PARK FOR 180 OR MORE DAYS DURING THE YEAR AND IS THE INDIVIDUAL WHO OWNS THE PROPERTY AND OBTAINS THE HOMESTEAD TAX CREDIT AT THAT ADDRESS. FOR PURPOSES OF THIS SUBTITLE, A HOST MAY HAVE ONLY ONE (1) PERMANENT ADDRESS, WHICH IS THE ADDRESS THE HOST USES TO OBTAIN THE HOMESTEAD CREDIT.

\* \* \* \*

**SHORT-TERM RENTAL** MEANS A RESIDENTIAL DWELLING UNIT OCCUPIED BY A SHORT-TERM RENTAL GUEST, OTHER THAN A PERMANENT OCCUPANT, FOR FEWER THAN 31 CONSECUTIVE DAYS AND NO MORE THAN 90 DAYS PER CALENDAR YEAR, WHERE A HOST RECEIVES MONETARY COMPENSATION FOR SUCH OCCUPANCY, IF THE OWNER IS NOT PRESENT DURING THE RENTAL. A SHORT-TERM RENTAL MAY BE OCCUPIED BY A SHORT-TERM RENTAL GUEST FOR NO MORE THAN 180 DAYS PER CALENDAR YEAR, IF THE HOST IS PRESENT DURING THE SHORT-TERM RENTAL. A SHORT-TERM RENTAL PROVIDER SHALL NOT COMBINE TIME LIMITS FOR SHORT-TERM RENTALS. THE MAXIMUM ALLOWABLE DAYS FOR A SHORT-TERM RENTAL ARE 180 CALENDAR DAYS, PROVIDED ALL REQUIREMENTS ARE MET FOR THAT TIME FRAME. A SHORT-TERM RENTAL IS A TOURIST HOME THAT IS AN ACCESSORY USE TO A DWELLING, BUT DOES NOT INCLUDE A HOTEL, MOTEL, INN, BOARDING HOUSE, GROUP RESIDENTIAL FACILITY, AND FRATERNITY OR SORORITY HOUSE.

**SHORT-TERM RENTAL GUEST** MEANS A TRANSIENT WHO OCCUPIES, OR HAS THE RIGHT TO OCCUPY, A LAWFULLY LICENSED SHORT-TERM RENTAL FOR A PERIOD OF 30 DAYS OR LESS DURING ANY ONE CONTINUOUS STAY. THIS DOES NOT INCLUDE A HOTEL, MOTEL, INN, BOARDING HOUSE, GROUP RESIDENTIAL FACILITY, FRATERNITY OR SORORITY HOUSE.

**SHORT-TERM RENTAL PROVIDER** MEANS A LICENSED HOST WHO LAWFULLY OFFERS FOR RENT A SHORT-TERM RESIDENTIAL RENTAL AND DOES NOT INCLUDE A HOTEL, MOTEL, INN, BOARDING HOUSE, GROUP RESIDENTIAL FACILITY, AND FRATERNITY OR SORORITY HOUSE.

\* \* \* \*

**Section 3.**     **BE IT FURTHER ORDAINED AND ENACTED** by the Mayor and Council of the City of College Park that Chapter 144, “Occupancy permit, §144-3, “Occupancy permits required” be and it is hereby repealed reenacted and amended to read as follows:

§144-3 Occupancy permits required.

A. Residential. Before the owner or agent thereof of any dwelling unit, SHORT TERM RENTAL UNIT, BOARDING HOUSE [~~rooming unit~~] or BOARDING[~~rooming~~] house unit or hotel, motel or tourist facility within the confines of the City of College Park shall rent, lease or otherwise let said unit and permit it to be occupied by any person or persons other than THE OWNER [~~himself/herself~~] and members of [~~his/her~~] THE OWNER’S immediate family, THE OWNER[~~he/she~~] shall secure from the City an occupancy permit.

(1) Said occupancy permit shall contain THE FOLLOWING: the name, ADDRESS, TELEPHONE NUMBER AND EMAIL ADDRESS of the owner of said unit[~~his/her address and his/her telephone number~~]. Said occupancy permit shall also specify the exact location of the structure in which said unit is located.

(2) IF A SHORT-TERM RENTAL PROPERTY IS OWNED BY A CORPORATION, LIMITED LIABILITY COMPANY, OR PARTNERSHIP, THE CONTACT INFORMATION FOR EACH SUCH ENTITY SHALL INCLUDE ALL OWNERS WITH AN INTEREST IN THE ENTITY.

(3) AN APPLICATION FOR A SHORT-TERM RENTAL LICENSE OR A LICENSE RENEWAL MUST BE SIGNED BY THE APPLICANT AND INCLUDE THE STATE SALES TAX AND USE REGISTRATION NUMBER. THE APPLICANT MUST CERTIFY, ATTEST AND ENSURE:



- (A) LIABILITY INSURANCE APPLICABLE TO THE PROPERTY OF AT LEAST \$1,000,000. THE OWNER/HOST MAY UTILIZE A PLATFORM'S LIABILITY INSURANCE IF THE COVERAGE IS AT LEAST \$1,000,000 AND IS APPROVED BY THE DEPARTMENT OF PUBLIC SERVICES.
- (B) THAT EACH SHORT-TERM RENTAL UNIT HAS A WORKING SMOKE DETECTOR AND CARBON MONOXIDE DETECTOR IN EVERY BEDROOM, SLEEPING AREA AND ON ALL HABITABLE FLOORS;
- (C) THAT EACH SHORT-TERM RENTAL UNIT HAS PROPERLY MAINTAINED, SERVICED, AND CHARGED FIRE EXTINGUISHERS MOUNTED IN EVERY BEDROOM, SLEEPING AREA AND ON ALL HABITABLE FLOORS IN COMPLIANCE WITH THE PRINCE GEORGE'S FIRE SAFETY CODE;
- (D) THAT EACH SHORT-TERM RENTAL HAS A POSTING OF THE OWNER'S EMERGENCY CONTACT INFORMATION ON THE INTERIOR OF THE RENTAL, A FLOOR PLAN THAT INDICATES FIRE EXITS AND ESCAPE ROUTES THAT IS CONSPICUOUSLY PLACED ON THE INTERIOR PORTION OF THE MAIN ENTRANCE AND IN EACH ROOM WHERE THERE ARE SLEEPING QUARTERS IN THE SHORT-TERM RENTAL;
- (E) THAT PHOTOS ARE SUBMITTED AS PROOF OF THE CONSPICUOUSLY PLACED POSTING OF THE EMERGENCY CONTACT INFORMATION ON THE INTERIOR OF THE RENTAL, AND THE FLOOR PLAN THAT INDICATES FIRE EXITS AND ESCAPE ROUTES, TO THE DEPARTMENT OF PUBLIC SERVICES;
- (F). THAT THE SHORT-TERM RENTAL IS IN COMPLIANCE WITH ALL APPLICABLE LAWS AND CODES INCLUDING BUT NOT LIMITED TO THIS SECTION, CHAPTER 125 OF THE CITY CODE, AND ALL APPLICABLE PROPERTY MAINTENANCE, ELECTRICAL, PLUMBING AND BUILDING CODES;
- (G) THAT NOTIFICATION OF THE APPLICATION HAS BEEN PROVIDED TO HOMEOWNER ASSOCIATIONS, CONDOMINIUM ASSOCIATIONS, COMMON OWNERSHIP COMMUNITIES, AND COOPERATIVES WHERE THE SHORT-TERM RENTAL IS LOCATED;
- (H) COMPLIANCE WITH THE REQUIREMENTS OF HOMEOWNER ASSOCIATIONS, CONDOMINIUM ASSOCIATIONS, COMMON OWNERSHIP COMMUNITIES, AND COOPERATIVES WHERE THE SHORT-TERM RENTAL IS LOCATED;
- (I) THAT THE SHORT-TERM RENTAL HAS PROVIDED AT LEAST ONE (1) OFF STREET PARKING SPACE FOR EVERY THREE (3) OVERNIGHT GUESTS;
- (J) THAT THE HOST'S INTENT TO APPLY FOR THE SHORT-TERM RENTAL LICENSE HAS BEEN PROVIDED TO THE FOLLOWING: RESIDENTS IN AND OWNERS OF THE ADJACENT HOMES INCLUDING BUT LIMITED TO ABUTTING AND CONFRONTING PROPERTIES. THE DEPARTMENT OF

PUBLIC SERVICES SHALL PROVIDE THE APPROVED NOTIFICATION LETTER FOR SHORT-TERM LICENSE APPLICANTS;

- (K) THAT THE SHORT-TERM RENTAL IS THE PERMANENT RESIDENCE OF THE HOST;
- (L) THAT THE SHORT-TERM RENTAL HAS TWO (2) OUTDOOR TRASH AND ONE (1) RECYCLING RECEPTACLES WITH TIGHT FITTING LIDS;
- (M) THE OWNERSHIP OF THE SHORT-TERM RENTAL PROPERTY, INCLUDING ALL PERSONS WITH AN OWNERSHIP OR STOCK INTEREST IN ANY CORPORATION, LIMITED LIABILITY COMPANY OR PARTNERSHIP, TOGETHER WITH A COPY OF THE HOMESTEAD TAX CREDIT FILING IN THE OWNER'S NAME;
- (N) THAT THE PROPERTY HAS NO OUTSTANDING TAXES OR LIENS AND THE PROPERTY HAS NO CODE VIOLATIONS;
- (O) THAT ACCURATE AND CURRENT CONTACT INFORMATION OF THE HOST OF THE SHORT-TERM RENTAL IS PROVIDED ON THE APPLICATION, INCLUDING ALL PERSONS WITH AN OWNERSHIP OR STOCK INTEREST IN ANY CORPORATION, LIMITED LIABILITY COMPANY OR PARTNERSHIP THAT OWNS THE PROPERTY; THE CONTACT INFORMATION SHALL INCLUDE THE FOLLOWING:
  - (A) THE HOST'S PRIMARY PHYSICAL MAILING ADDRESS;
  - (B) THE HOST'S CELL PHONE NUMBER;
  - (C) THE HOST'S EMAIL ADDRESS;
- (P) ACCURATE AND CURRENT INFORMATION OF AN INDIVIDUAL WHO WILL SERVE AS THE EMERGENCY CONTACT, OTHER THAN THE HOST, WHO RESIDES WITHIN 15 MILES OF THE CITY. THE EMERGENCY CONTACT IS RESPONSIBLE FOR RESPONDING TO THE SHORT-TERM RENTAL FOR ANY ISSUES THAT REQUIRE IMMEDIATE ATTENTION. THIS INFORMATION SHALL BE PROVIDED ON THE APPLICATION. THE CONTACT INFORMATION SHALL INCLUDE THE FOLLOWING:
  1. THE INDIVIDUAL'S PRIMARY PHYSICAL MAILING ADDRESS;
  2. THE INDIVIDUAL'S CELL PHONE NUMBER;
  3. THE INDIVIDUAL'S EMAIL ADDRESS;
- (Q) THAT THE HOST WILL PROVIDE, WITHIN FIVE (5) BUSINESS DAYS, UPDATES TO THE CONTACT INFORMATION IMMEDIATELY OR RISK HAVING THE LICENSE REVOKED OR DENIED;
- (R) THAT THE HOST WILL PROVIDE A LIST OF ALL THE LICENSED PLATFORMS THE APPLICANT INTENDS TO UTILIZE;

- (S) THAT THE RULES, AS APPROVED BY THE DEPARTMENT OF PUBLIC SERVICES PER THIS CHAPTER REGARDING SHORT-TERM RENTAL GUESTS, ARE POSTED ON OR BY THE MAIN ENTRANCE USED BY THE TRANSIENTS.
- (4) A RENEWAL APPLICATION SHALL INCLUDE A COPY OF THE SHORT-TERM RENTAL GUEST LOG REQUIRED BY THIS SECTION.
- (5) NO LICENSE FOR A SHORT-TERM RENTAL SHALL BE ISSUED TO A HOST UNTIL THE APPLICATION HAS BEEN SUCCESSFULLY AND SATISFACTORILY COMPLETED AND THE REQUIRED FEE PAID. ALL DOCUMENTATION SHALL BE SUBMITTED AND ALL REQUIREMENTS SHALL BE ADHERED TO PRIOR TO A DETERMINATION BEING MADE ABOUT THE ISSUANCE OF A SHORT-TERM LICENSE TO THE APPLICANT.
- (6) THE DEPARTMENT MAY REQUIRE EVIDENCE OF ANY OF THE ABOVE REQUIREMENTS IN ANY FORM OR MANNER IT DIRECTS.
- ~~[(4)]~~(7) All occupancy permits shall be issued to the owner for the structure containing said unit or units and shall be valid for a period of one year.

B. Nonresidential. Each tenant or occupant that is required to obtain a Prince George's County use and occupancy permit for use of a nonresidential premises or unit shall secure from the City a nonresidential occupancy permit, which shall be valid for a period of one year.

C. Occupancy prohibited without valid occupancy permit.

- (1) The owner of a dwelling or nonresidential unit for which an occupancy permit is required by the terms of Subsection A or B of this section shall cause said unit to be vacated within 24 hours of the occurrence of the earlier of the following:
  - (a) The expiration of any lease which continues to be in effect after the occurrence of an event which leaves such dwelling unit without a valid occupancy permit; or
  - (b) Thirty days after the first day of the month following an event which leaves such ~~[dwelling]~~ unit without a valid occupancy permit.
- (2) Said owner shall prevent said unit from being further occupied until a valid occupancy permit is issued by the City for the unit.

D. The owner of a dwelling unit for which an occupancy permit is required by the terms of Subsection A of this section shall obtain the signature of the occupant of such unit on a written statement acknowledging and agreeing to be bound by the provisions of Subsection C hereinabove and to vacate the unit within the time prescribed therein upon the occurrence of an event described in Subsection C(1)(A) ~~[(2)]~~ or C(1)(B) ~~[(3)]~~ hereof.

E. Placards. Any dwelling, SHORT TERM RENTAL UNIT, BOARDING HOUSE [~~rooming~~] or BOARDING [~~rooming~~] house unit, hotel, motel or tourist facility or nonresidential premises which does not have a required occupancy permit may be placarded by the Public Services Department. No person shall deface or remove the placard from any such premises.

F. An occupancy permit issued pursuant to this section is not transferable by the permit holder to another person or entity.

**Section 4.** **BE IT FURTHER ORDAINED AND ENACTED** by the Mayor and Council of the City of College Park that Chapter 144, “Occupancy permits”, §144-7, “Revocation; reinstatement” be and it is hereby repealed, reenacted and amended to read as follows:

**§144-7 Revocation; reinstatement.**

A. At any time that the Public Services Department shall determine that any such unit does not comply with all of the provisions of all applicable law, it shall order the permit holder or agent thereof to render compliance within a reasonable period of time. If such compliance is not provided, the Public Services Director may order the revocation of the occupancy permit for the structure in which said unit or units are located and proceed with enforcement under applicable provisions of law.

B. A SHORT-TERM RENTAL LICENSE MAY BE SUSPENDED OR REVOKED AT ANY TIME OR NOT RENEWED BASED UPON NON-COMPLIANCE WITH THE REQUIREMENTS OF THIS CHAPTER, THE CITY CODE, OR THE PRINCE GEORGE'S COUNTY CODE.

1. A SHORT-TERM RENTAL LICENSE MAY BE SUSPENDED OR REVOKED DUE TO ISSUANCE OF A CITATION, CORRECTIVE ORDER, OR VIOLATION NOTICE CITING VIOLATIONS OF THE CITY CODE, OR PRINCE GEORGE'S COUNTY CODE, INCLUDING BUT NOT LIMITED TO VIOLATIONS OF ITS BUILDING, ELECTRICAL, PLUMBING OR ZONING CODES.

2. THE DEPARTMENT OF PUBLIC SERVICES HAS THE RIGHT TO ENTER AND INSPECT THE SHORT-TERM RENTAL WITH REASONABLE NOTICE TO THE HOST. FAILURE TO PROVIDE TIMELY ACCESS MAY SERVE AS A BASIS TO ISSUE A VIOLATION NOTICE OR ADMINISTRATIVE CITATION, OR TO SUSPEND OR REVOKE A LICENSE.

3. THE DEPARTMENT OF PUBLIC SERVICES MAY IMMEDIATELY ISSUE A VIOLATION NOTICE OR ADMINISTRATIVE CITATION, OR MAY SUSPEND OR REVOKE A SHORT-TERM RENTAL LICENSE, IF THE OPERATION OF THE SHORT-

TERM RENTAL CONSTITUTES A NUISANCE AS DEFINED IN §144-2 OR BECAUSE OF ANY ADVERSE EFFECT TO PUBLIC HEALTH, SAFETY, AND THE GENERAL WELFARE, INCLUDING EXCESSIVE NOISE, TRAFFIC, PHYSICAL ACTIVITY, PUBLIC SAFETY, OR OTHER GOOD CAUSE.

4. THE DEPARTMENT OF PUBLIC SERVICES MAY IMMEDIATELY ISSUE A VIOLATION NOTICE OR ADMINISTRATIVE CITATION OR MAY SUSPEND OR REVOKE A LICENSE IF UNDER THE BUILDING CODE A STOP WORK OR STOP USE ORDER HAS BEEN ISSUED TO THE ADDRESS.

5. FRAUD, MISREPRESENTATION, FALSE STATEMENT AND INACCURACIES IN THE APPLICATION FOR AN OCCUPANCY PERMIT OR SUPPORTING DOCUMENTS SHALL BE GROUNDS FOR IMMEDIATE REVOCATION OR DENIAL OF THE SHORT-TERM RENTAL LICENSE.

6. ALL THE REQUIREMENTS OF THIS CHAPTER SHALL BE CONTINUOUSLY MAINTAINED THROUGHOUT THE DURATION OF THE LICENSE. FAILURE TO DO SO SHALL BE GROUNDS FOR IMMEDIATE REVOCATION OR DENIAL OF THE SHORT-TERM RENTAL LICENSE.

7. IF A SHORT-TERM RENTAL HOST LICENSE IS SUSPENDED OR REVOKED, THE PUBLIC SERVICES DEPARTMENT SHALL NOTIFY IN WRITING THE HOST AND ALL PLATFORMS ON WHICH THE HOST CURRENTLY LISTS.

B. ~~[Should]~~ REVOCATION OF the occupancy permit for ~~[a structure be revoked because of]~~ noncompliance with the provisions of the City Housing Ordinance~~[-, such revocation]~~ may be appealed to the Advisory Planning Commission under the provisions of the Housing Ordinance. REVOCATION OF THE OCCUPANCY PERMIT FOR NON-COMPLIANCE WITH SHORT-TERM RENTAL REQUIREMENTS MAY BE APPEALED TO THE ADVISORY PLANNING COMMISSION WITHIN THIRTY (30) DAYS OF THE REVOCATION. If said permit ~~[shall have been]~~ IS revoked for violations of other laws or ordinances, appeal may only be made to a court of competent jurisdiction of this state.

C. In the event that an occupancy permit is allowed to expire by fault of the permit holder due to the failure to pay the required fees within 20 days from the date of the written notification of payment due, without a reasonable cause, a reinstatement fee shall be imposed as set forth in Chapter 110, Fees and Penalties, and shall be payable with all application fees. Property may be subject to reinspection prior to reinstatement of an occupancy permit, and all fees may be reimposed.

D. In the event that an occupancy permit is revoked for cause, the occupancy permit must be reinstated and a fee paid as set forth in Chapter 110, Fees and Penalties, and all provisions of the Code of the City of College Park must be met before the property may again be occupied. EXCEPT FOR REVOCATIONS OF SHORT-TERM RENTAL LICENSES, in no event will an occupancy permit for a dwelling unit ~~[as to which an occupancy permit]~~ THAT has been

revoked for cause be reinstated prior to the expiration of 90 days from the date of revocation. A SHORT-TERM RENTAL LICENSE MAY NOT BE ISSUED FOR A PERIOD OF 3 YEARS AFTER THE LICENSE IS REVOKED TO:

- (1) THE FORMER LICENSEE OR A MEMBER OF THE FORMER LICENSEE'S HOUSEHOLD; OR
- (2) ANY APPLICANT FOR A LICENSE TO USE THE SAME DWELLING UNIT WHERE THE LICENSE WAS REVOKED.

**Section 5.**     **BE IT FURTHER ORDAINED AND ENACTED** by the Mayor and Council of the City of College Park that Chapter 144, "Occupancy permits", §144-8, "Challenge to affirmation" be and it is hereby enacted to read as follows:

§144-8 CHALLENGE TO AFFIRMATIONS.

(A) A CHALLENGE TO ANY REQUIRED AFFIRMATION MADE BY THE APPLICANT AS PART OF THE APPLICATION FOR A SHORT-TERM RENTAL PERMIT MAY BE FILED WITH THE DIRECTOR OF PUBLIC SERVICES WITHIN 30 DAYS AFTER THE APPLICATION IS FILED BY:

- (1) A RESIDENT OR OWNER OF REAL PROPERTY LOCATED WITHIN 300 FEET OF THE PROPERTY TO BE LICENSED;
- (2) ANY APPLICABLE HOMEOWNERS' ASSOCIATION, CONDOMINIUM, OR HOUSING COOPERATIVE; OR
- (3) THE OWNER OF THE UNIT OR THE OWNER'S RENTAL AGENT, IF THE APPLICANT IS NOT THE OWNER.

(B) THE DIRECTOR MUST, WITHIN 30 DAYS AFTER RECEIPT OF THE CHALLENGE:

- (1) PROVIDE NOTICE OF THE CHALLENGE TO THE APPLICANT;
- (2) REFER THE CHALLENGE TO THE CITY'S ADVISORY PLANNING COMMISSION. THE ADVISORY PLANNING COMMISSION MAY INVESTIGATE ANY

QUESTION OF FACT RAISED BY THE CHALLENGE AND MAY REVOKE OR DENY THE LICENSE IF FINDS AFTER A PUBLIC HEARING THAT ONE OR MORE FACTS CERTIFIED BY THE APPLICANT IS FALSE.

**Section 6.** BE IT FURTHER ORDAINED AND ENACTED by the Mayor and Council of the City of College Park that Chapter 144, "Occupancy permits", §144-9, "Short term rental licenses; Host requirements" be and it is hereby enacted to read as follows:

§144-9 SHORT TERM RENTAL LICENSES; HOST REQUIREMENTS.

- (A) NO ONE MAY ENGAGE IN THE BUSINESS OF THE SHORT-TERM RENTALS IN THE CITY WITHOUT HAVING OBTAINED A SHORT-TERM RENTAL LICENSE UNDER THIS CHAPTER.
- (B) NO ONE MAY UTILIZE OR LIST A PROPERTY IN THE CITY ON A HOSTING PLATFORM WITHOUT A SHORT-TERM RENTAL LICENSE FROM THE CITY.
- (D) ANYONE ISSUED A SHORT-TERM RENTAL LICENSE FOR A PROPERTY IN THE CITY:
  - 1. SHALL COLLECT AND REMIT ALL APPLICABLE HOTEL TAXES THROUGH THE PLATFORM;
  - 2. SHALL DISPLAY CONSPICUOUSLY ON INTERIOR OF THE SHORT-TERM RENTAL, THE LICENSE WITH CONTACT INFORMATION OF THE LICENSED HOST, THE EMERGENCY CONTACT PURSUANT TO §144-3(A)(3)(D) AND THE CONTACT INFORMATION FOR THE DEPARTMENT;
  - 3. SHALL NOT RENT THE SHORT-TERM RENTAL FOR MORE THAN 30 CONSECUTIVE DAYS;
  - 4. SHALL NOT RENT THE SHORT-TERM RENTAL MORE THAN 90 DAYS PER CALENDAR YEAR IF THE SHORT-TERM RENTAL IS UNOCCUPIED BY THE OWNER;
  - 5. SHALL NOT RENT THE SHORT-TERM RENTAL MORE THAN 180 DAYS PER CALENDAR YEAR IF THE SHORT-TERM RENTAL IS OWNER OCCUPIED;
  - 6. SHALL NOT COMBINE ALLOWABLE TIME FRAMES TO EXCEED THE PERMISSIBLE CALENDAR DAYS FOR SHORT-TERM RENTALS;
  - 7. SHALL NOT PERMIT MORE THAN A TOTAL OF EIGHT (8) GUESTS AT ANY ONE TIME AND THERE SHALL NOT BE MORE THAN THREE (3) GUESTS PER BEDROOM;

8. SHALL NOT PERMIT ANY OTHER INDIVIDUALS TO UTILIZE THE SHORT-TERM RENTAL OTHER THAN REGISTERED SHORT-TERM RENTAL GUESTS;
  9. SHALL NOT RENT A UNIT, OR ANY PORTION THEREOF, BY THE HOUR OR FOR ANY PERIOD OF FEWER THAN 24 CONSECUTIVE HOURS, OR MORE THAN ONCE WITHIN ANY CONSECUTIVE 24-HOUR PERIOD; OR FOR MULTIPLE BOOKINGS OR RENTALS FOR THE SAME OVERLAPPING TIME PERIODS.
- (E) THE PERSON RENTING A SHORT-TERM RENTAL UNIT SHALL MAINTAIN A LOG OF ALL SHORT-TERM RENTAL GUESTS THAT HAVE RENTED THE SHORT-TERM RENTAL AND WILL PROVIDE THE LOG WHEN APPLYING TO RENEW THE SHORT-TERM RENTAL LICENSE.
- (1) THE LOG SHALL CONTAIN THE FOLLOWING INFORMATION:
- (A) THE TOTAL NUMBER OF SHORT-TERM RENTAL GUESTS THAT STAYED IN THE SHORT-TERM RENTAL FOR THE FISCAL YEAR BEGINNING THE FIRST DAY OF JULY OF EACH YEAR AND ENDING THE LAST DAY OF JUNE THE FOLLOWING YEAR;
  - (B) THE TOTAL NUMBER OF SHORT-TERM RENTAL GUESTS THAT STAYED DURING EACH INDIVIDUAL RENTAL;
  - (C) THE DATES THE SHORT-RENTAL IS RENTED BY A SHORT-TERM RENTAL GUEST;
  - (D) THE NUMBER OF DAYS AND DATES THE SHORT-TERM RENTAL WAS OWNER OCCUPIED; AND
  - (E) THE TOTAL NUMBER OF DAYS AND DATES WHEN THE SHORT-TERM RENTAL WAS NOT OWNER OCCUPIED.

**Section 7.** BE IT FURTHER ORDAINED AND ENACTED by the Mayor and Council of the City of College Park that Chapter 144, "Occupancy permits", §144-10, "Incorporation of County Code registration requirements" be and it is hereby enacted to read as follows:

**§144-10 INCORPORATION OF COUNTY CODE REQUIREMENTS.**

THE PROVISIONS OF COUNTY CODE SEC. 5-175.04, "SHORT-TERM RENTAL HOSTING PLATFORM LICENSE; REQUIREMENTS" AND SEC. 5-175.06, PROHIBITED ACTS, ENFORCEMENT AND PENALTIES; PLATFORMS", WITH THE EXCEPTION OF



SEC. 5-175.06 (F), AS AMENDED, ARE INCORPORATED HEREIN BY REFERENCE AND ARE APPLICABLE IN THE CITY OF COLLEGE PARK. PLATFORMS SHALL REQUIRE ANY SHORT-TERM RENTAL HOST IN THE CITY TO SUBMIT A COPY OF THE HOST'S RENTAL LICENSE TO THE PLATFORM, PRIOR TO THE RENTAL BEING LISTED ON THE PLATFORM. THE CITY WILL PROVIDE ON A MONTHLY BASIS TO LAWFULLY LICENSED PLATFORMS THE FOLLOWING INFORMATION:

- A. THE LICENSE NUMBER FOR ALL LAWFULLY REGISTERED HOSTS;
- B. THE LICENSE NUMBER FOR ALL HOSTS WHO HAVE AN EXPIRED LICENSE;
3. THE LICENSE NUMBER FOR ALL HOSTS WHO HAVE A SUSPENDED LICENSE;
4. THE LICENSE NUMBER OF ALL HOSTS WHOSE LICENSE HAS BEEN REVOKED; AND
5. THE NAME OF INDIVIDUALS WHO HAVE APPLIED FOR A SHORT-TERM RENTAL LICENSE BUT WERE DENIED.

**Section 8.** BE IT FURTHER ORDAINED AND ENACTED by the Mayor and Council of the City of College Park that Chapter 144, "Occupancy permits", §144-8, "Violations and penalties" be and it is hereby repealed, reenacted, renumbered and amended to read as follows:

**[§144-8] §144-11 Violations and penalties.**

A. Except as may otherwise be specified herein and in addition to any other provisions for occupancy fees, late fees and reinstatement fees, any person violating any of the provisions of this chapter shall be guilty of a municipal infraction, subject to the penalty provided in Chapter 110, Fees and Penalties, of this Code.

B. Every thirty-day period during which a violation of § 144-3C of this chapter shall continue shall constitute a separate municipal infraction.

**Section 9.** BE IT FURTHER ORDAINED AND ENACTED by the Mayor and Council of the City of College Park that Chapter 110, "Fees and penalties", §110-2, "Penalties" be and it is hereby repealed, reenacted, renumbered and amended to read as follows:

**§110-2 Penalties.**

Unless otherwise noted herein, the violation of a City ordinance or resolution is a municipal infraction. The following fines and/or imprisonment for violations of various ordinances or resolutions are applicable in the City of College Park:

Chapter/Section	Violation	Penalty
	* * * *	
<b>Ch. <u>144</u>, Occupancy Permits</b>		
§ <u>144-3A</u> AND B	Failure to obtain occupancy permit	\$1,000
§ <u>144-3C</u>	Failure to prevent occupancy in absence of valid permit	\$1,000
§ <u>144-3D</u>	Failure to secure a written statement signed by the tenant	\$100
§ <u>144-3E</u>	Removal of placard	\$1,000
§ <u>144-5B</u>	False oath	\$400
§ <u>144-5E</u>	During COVID 19 pandemic state of Emergency failure to disclose identity of occupants	\$1,000
	Failure to disclose identity of occupants at all other times	\$75
§ <u>144-6</u>	FAILURE TO ALLOW INSPECTION	\$1,000
§ <u>144-9</u>	SHORT-TERM RENTAL LICENSES; HOST REQUIREMENTS, PER DAY	\$1,000
§ <u>144-10</u>	VIOLATION OF INCORPORATED COUNTY CODE REQUIREMENTS	\$1,000
§ <u>144-[8A]</u> 11A	Chapter	\$100

**Section 10. BE IT FURTHER ORDAINED AND ENACTED** by the Mayor and Council of the City of College Park, upon formal introduction of this proposed Ordinance, which shall be by way of a motion duly seconded and without any further vote, the City Clerk shall

distribute a copy to each Council member and shall maintain a reasonable number of copies in the office of the City Clerk and shall post at City Hall, to the official City website, to the City-maintained e-mail LISTSERV, and on the City cable channel, and if time permits, in any City newsletter, the proposed ordinance or a fair summary thereof together with a notice setting out the time and place for a public hearing thereon and for its consideration by the Council. The public hearing, hereby set for **7:30 PM** on the **10<sup>th</sup>** day of **October**, 2023, shall follow the publication by at least seven (7) days, may be held separately or in connection with a regular or special Council meeting and may be adjourned from time to time. All persons interested shall have an opportunity to be heard. After the hearing, the Council may adopt the proposed ordinance with or without amendments or reject it.

**Section 3. BE IT FURTHER ORDAINED AND ENACTED** by the Mayor and Council of the City of College Park that this Ordinance shall become effective on \_\_\_\_\_, 2023 provided that, as soon as practicable after adoption, the City Clerk shall post a fair summary of the Ordinance and notice of its adoption at City Hall, to the official City website, to the City-maintained e-mail LISTSERV, on the City cable channel, and in any City newsletter.

If any section, subsection, provision, sentence, clause, phrase or word of this Ordinance is for any reason held to be illegal or otherwise invalid by any court of competent jurisdiction, such invalidity shall be severable, and shall not affect or impair any remaining section, subsection, provision, sentence, clause, phrase or word included within this Ordinance, it being the intent of the City that the remainder of the Ordinance shall be and shall remain in full force and effect, valid and enforceable.

**INTRODUCED** by the Mayor and Council of the City of College Park, Maryland at a regular meeting on the **26<sup>th</sup>** day of **September**, 2023.

**ADOPTED** by the Mayor and Council of the City of College Park, Maryland at a regular meeting on the \_\_\_\_ day of \_\_\_\_\_ 2023.

**EFFECTIVE** the \_\_\_\_ day of \_\_\_\_\_, 2023.

**ATTEST:**

**CITY OF COLLEGE PARK**


By: \_\_\_\_\_ By: \_\_\_\_\_  
Janeen S. Miller, MMC, CERA, City Clerk Fazlul Kabir, Mayor

**APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:**

\_\_\_\_\_  
Suellen M. Ferguson, City Attorney

# **23-G-157**

Business Retention and  
Attraction Fund Grants

	<p align="center"><b>CITY OF COLLEGE PARK, MARYLAND</b> <b>ACTION ITEM COVER REPORT</b></p>	
	<p><b>Prepared By:</b> Michael Williams Director of Economic Development</p> <p><b>Presented By:</b> Michael Williams Director of Economic Development</p>	<p align="right"><b>AGENDA ITEM:</b> <u>23-G-157</u></p> <p align="right"><b>Meeting Date:</b> 10/17/2023</p> <p align="right"><b>Proposed Consent:</b> No</p>
<p><b>Originating Department:</b> Economic Development</p>		
<p><b>Action Requested:</b> <i>Approve the disbursement of Economic Development Retention and Attraction Funds to Laser Essentials, LLC in the amount of \$23,000 for their relocation from the Campus Village Shoppes located at 8147 Baltimore Avenue to a new location at 9658 Baltimore Avenue, Suite 101.</i></p>		
<p><b>Strategic Plan Objective:</b></p> <p>OKR 1 – Innovate and Improve City Services to enhance quality, value and accessibility for all residents.</p> <p>OKR 5 – Plan and facilitate strategic economic development and smart growth to support a variety of businesses that can thrive and serve the diverse needs of our community.</p>		
<p><b>Background/Justification:</b></p> <p>For Budget year 2024, Mayor and Council at the behest of the City Manager and Director of Economic Development, established a new fund for retention and attraction of businesses for the City of College Park. While the recruitment and approach of new entities to College Park progresses in a pragmatic manner, the Office of Economic Development has aggressively worked to retain businesses displaced by the sale and proposed development of Campus Village Shoppes. In anticipation of further disruptions by future development, the Office of Economic Development is engaged with merchants searching for commercial space in the City and advising of our retention opportunities. The Office of Economic Development has received several applications, inquiries, and expressions of interest for the Retention and Attraction program. We have structured a program for assistance based on available commercial space, retention of employees, and costs of build-out and transition into new space. Larger requests will be considered for merchants who can guarantee a financial commitment via terms of an agreement with the City. All recipients will be required to remain in the City of College Park.</p> <p>Current Retention consideration in the amount of \$23,000 is for Campus Village merchant Laser Essentials, LLC (“Laser”). Laser Essentials located in the Campus Village Shoppes since 2014, specializes in Esthetic Care and Medical Spa Services. Laser Essentials will use retention funds to relocate, build-out and equip new office space in College Park located at 9658 Baltimore Avenue, Suite 101.</p>		
<p><b>Fiscal Impact:</b></p> <p>The FY2024 Budget for Economic Development includes \$75,000 for business retention and attraction assistance. With the approval of this item there would be \$52,000 remaining in the business retention and attraction fund for FY 2024.</p>		
<p><b>Equity &amp; Inclusion Impact:</b></p> <p>Most new developments will displace merchants that define the fabric and culture of College Park. Successful retention efforts will allow the City to influence change and retain the characteristics that make College Park a desired community. The Retention Fund presents an opportunity to supplement a Legacy</p>		

Economy around the merchants, thus achieving some degree of fairness, equity and inclusion. Laser Essentials, LLC is a minority owned business in operation in the City since 2014.

**Council Options:**

1. Grant permission to allocate and disburse Retention and Attraction Funds
2. Do not grant permission to allocate and disburse Funds

**Staff Recommendation:**

Option #1

**Recommended Motion:**

*I move to approve the disbursement of Economic Development Retention and Attraction Funds to Laser Essentials, LLC in the amount of \$23,000 for their relocation from the Campus Village Shoppes located at 8147 Baltimore Avenue to a new location at 9658 Baltimore Avenue, Suite 101.*


**Attachments:**

None

# 14 A

## Amendments to the City of College Park New Neighbors Homeownership Grant Program



	<p style="text-align: center;"><b>CITY OF COLLEGE PARK, MARYLAND</b>  <b>DISCUSSION / PRESENTATION COVER REPORT</b></p> <p><b>Prepared By:</b> Miriam Bader  Director of Planning and  Community Development</p> <p><b>Meeting Date:</b> 10/17/2023</p> <p><b>Presented By:</b> Miriam Bader  Director of Planning and  Community Development</p>
<p><b>Originating Department:</b> Planning and Community Development</p>	
<p><b>Topic:</b> Increase New Neighbors Grant Allowance for Qualified Law Enforcement Personnel</p>	
<p><b>Strategic Plan Objective:</b></p> <p>OKR #4: Enhance safety and quality of enforcement to advance our reputation as a safe city.  OKR #8: Foster and sustain an affordable and stable city for individuals and families to live, work, play and retire here.</p>	
<p><b>Background:</b></p> <p>The proposal before City Council is to increase the current New Neighbors Grant allowance from \$5k to \$15k for full-time police officers with Prince George's County, M-NCPPC, WMATA, the State of Maryland, the University of Maryland College Park or another police department with jurisdiction in the City. The rationale for increasing the grant value is to mitigate the impacts of severe understaffing of law enforcement personnel, specifically over 300 open positions for the Prince George's County Police Department and notable open positions for the University of Maryland Police Department.</p>	
<p><b>Fiscal Impact:</b></p> <p>Assumption of two grants per year results in an expenditure of \$30,000.</p>	
<p><b>Equity &amp; Inclusion Impact:</b></p> <p>Increasing the grant allowance for law enforcement officers would have a positive impact on equity and inclusion by allowing better housing options in College Park for this often underserved group.</p>	
<p><b>Council Options:</b></p> <ol style="list-style-type: none"> <li>1. Support the grant allowance from \$5,000 to \$15,000 for full-time police officers.</li> <li>2. Support a different grant allowance amount or modify eligibility.</li> <li>3. Do not support the amendment.</li> </ol>	
<p><b>Staff Recommendation:</b></p> <p>Option #1.</p>	
<p><b>Attachments:</b></p> <ol style="list-style-type: none"> <li>1. Home Ownership Grant Resolution 22-R-03</li> </ol>	

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLLEGE PARK TO AMEND THE HOMEOWNERSHIP GRANT PROGRAM TO PROVIDE FOR A GRANT FOR USE AT CLOSING TOWARD THE PURCHASE OF THE PROPERTY OF UP TO \$5,000 TO CERTAIN BUYERS OF A SINGLE FAMILY RESIDENCE IN THE CITY AND A GRANT OF UP TO \$10,000 TO BUYERS OF A SINGLE FAMILY RESIDENCE THAT WAS PREVIOUSLY A RENTAL PROPERTY, FORECLOSED UPON, NEWLY CONSTRUCTED, BOUGHT AT SHORT SALE, OR LOCATED IN A NEIGHBORHOOD THAT IS FIFTY PERCENT OR MORE RENTAL, UNDER CERTAIN CONDITIONS, AND TO EXPAND THE ELIGIBILITY FOR THE GRANT**

WHEREAS, the Mayor and Council of the City of College Park have authority pursuant to §5-202 of the Local Government Article, Annotated Code of Maryland, to make those laws and regulations that protect the health and welfare of residents within the City; and

WHEREAS, the Mayor and Council have adopted the Homeownership Grant Program to encourage a balanced mix of homeownership in the City; and

WHEREAS, the Mayor and Council, based on a review of the Program experience, have considered alternatives to the eligibility requirements of the Program, to increase participation by single family home buyers; and

WHEREAS, the Mayor and Council have determined that it is in the public interest to expand the eligibility to apply for a Homeownership Grant, and to increase the grant amount in certain circumstances.

NOW THEREFORE, the Mayor and Council of the City of College Park do hereby resolve that the Homeownership Grant Program is amended to read as follows:

**HOMEOWNERSHIP GRANT PROGRAM**

1. That the Homeownership Grant Program is hereby established.

CAPS : Indicate matter added to existing law.  
 [Brackets] : Indicate matter deleted from law.  
 Asterisks \* \* \* : Indicate matter remaining unchanged in existing law but not set forth in Resolution

2. Subject to funding, buyers of single family residences (including townhouses and condominiums) within the City who agree to be owner-occupants for five consecutive years may request a grant of up to \$5,000.00 to be used at closing toward the purchase of the property, if they:
  - A. are residents of the City;
  - B. work in the City on a full time basis;
  - C. are a full-time police officer with Prince George's County, M-NCPPC, WMATA, the State of Maryland, University of Maryland or other police department with jurisdiction in the City;
  - D. are a full-time career firefighter or emergency medical technician;
  - E. are a bona fide member of a County Volunteer Fire Department who can provide certification from their Department; or
  - F. study on a full time graduate student basis at the University of Maryland.
3. Subject to funding, buyers of single family residences (including townhouses and condominiums) within the City who agree to be owner-occupants for five consecutive years may request a grant of up to \$10,000.00 to be used at closing toward the purchase of the property, if the single family residence that will be purchased:
  - A. has been used for at least the two years prior to purchase as a non-owner occupied rental property, or as an owner occupied property that was rented to more than two (2) other persons;
  - B. is new construction, in foreclosure or a short sale; or

- C. is located in an area of the City that is fifty percent (50%) or more rental properties.
4. During any said five-year period, the residence for which the grant is used shall be owner occupied at all times. For City employee grants only, a non-employee co-owner of the property is exempted from the residency requirements of this section.
  5. In the event that a participant fails to remain an owner occupant for the agreed five consecutive year period, the funds provided under the grant shall be repaid to the City by the participant, subject to a credit of one/fifth of the grant sum for each full year during which the property was in compliance with the terms of the grant.
  6. The participant, while residing and physically present at the Property, may rent to up to two other persons during the five (5) year period. If not residing and physically present at the Property, the participant shall not rent to any other person during the five (5) year period. Notwithstanding any other provision herein, should the participant rent any portion of the property to any person while not residing and physically present at the Property, or to more than 2 other persons while residing at the Property, then the full grant sum shall become due and shall repaid to the City.
  7. Repayment of any funds pursuant to paragraph 5 or 6 shall become due immediately upon the happening of the event that triggers the condition (i.e., sale of the property, non-residence or rental of the property). Any repayment amount due hereunder which is not paid within thirty (30) days from becoming



due may be included in the real property tax bill and shall be collected as city taxes are collected.

8. All participants in this grant program shall be required to sign a Declaration of Covenants and Conditional Repayment Agreement that shall include the terms of the grant as set out herein and be binding upon the property, in substantially the form as attached to this resolution.
9. All participants in the grant program shall file an annual certification on a form provided by the City that they are in compliance with the terms of the grant. Failure to file the form as requested is a breach of grant requirements, and may result in the required repayment of grant amounts, as set out in paragraph 5.
10. City staff may, when otherwise appropriate, extend the date upon which a grant recipient must take up residence at the property for up to six months from settlement, or until an existing lease expires, whichever first occurs, when the property is subject to an existing lease.
11. To be eligible for a grant, an applicant must be in good standing with the City.
12. City grant funding of up to \$5000 may be combined with the funding available through the CPCUP homeownership program pursuant to terms agreed in a memorandum of understanding between the City and CPCUP. In this event, the administration of the grant or forgivable loan application, funding, and enforcement will be performed by CPCUP. A City declaration of covenants will not be required from these applicants. In the event that an applicant who receives funding under this paragraph defaults on or fails to comply with any city grant requirement, CPCUP shall refund an amount calculated pursuant to


paragraph 5 or 6 of this Resolution to the City within 180 days of the default or failure to comply.

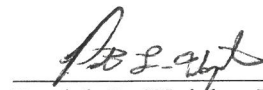
**ADOPTED** by the Mayor and City Council of the City of College Park at a regular meeting on the 22<sup>nd</sup> day of March, 2022.

**EFFECTIVE** the 22<sup>nd</sup> day of March, 2022.

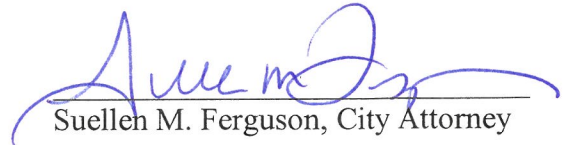
**WITNESS:**

**CITY OF COLLEGE PARK**

  
Janeen S. Miller, CMC, City Clerk

  
Patrick L. Wojahn, Mayor

**APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:**

  
Suellen M. Ferguson, City Attorney

DRAFT Home Ownership Program  
Declaration of Covenants and Conditional Repayment Agreement  
For Single Family Homes  
Notice of Lien

THIS DECLARATION OF COVENANTS AND AGREEMENT ("Agreement") made and entered into this \_\_\_\_\_ day of \_\_\_\_\_ by and between the City of College Park, a municipal corporation in the State of Maryland (hereinafter referred to as "the City") and \_\_\_\_\_ as husband and wife, tenants by the entirety (hereinafter referred to as "Owner").

WHEREAS, the Mayor and Council have determined that a balanced mix of owner-occupied and rental single family homes is important to the continued vitality of the City's neighborhoods; and

WHEREAS, the Mayor and City Council desire to encourage the conversion of rental properties to owner-occupied residential use; and

WHEREAS, one of the goals of City is to revitalize neighborhoods through home ownership opportunities; and

WHEREAS, the Mayor and Council determined that encouraging police, firefighters, and full time medical technicians who are employed in Prince George's County or have jurisdiction in the City to purchase residences in the City is also important to the continued vitality of the City's neighborhoods; and

WHEREAS, the Mayor and Council have determined that supporting the sale of short sale or foreclosed single family residences, townhouses and individual unit condominiums to owner-occupants serves a public purpose; and

WHEREAS, the Mayor and Council have determined that supporting the sale of new construction detached single-family homes supports the goal of owner occupied housing; and

WHEREAS, the Mayor and Council have determined that supporting the sale of single family homes to persons who reside or work full time in the City, or attend the University of Maryland as a full time graduate student, serves a public purpose; and

WHEREAS, the Mayor and Council have adopted a Home Ownership Grant Program to 1) encourage the balanced mix of owner-occupied and rental single family homes by supporting the conversion of rental properties to owner-occupied residential use; 2) encourage City residents and employees, those who work in the City and graduate students who attend the University of Maryland full time, certain police officers, and firefighters and full time emergency medical technicians who are employed or have jurisdiction in Prince George's County, to purchase and occupy residences in the City; 3) aid in the purchase of single family homes, townhouses and condominiums that are foreclosed or short sales by Owner/occupants; 4) support the sale of new construction single-family homes; and 5) support the sale of homes to owner-occupants in areas of the City that are more than fifty percent (50%) rental properties; and

WHEREAS, the Mayor and Council have determined that, as a condition of the grant, a participant must agree for a five-year period to occupy said single-family residence and further agree not to rent said premises except as set out herein during that period; and

WHEREAS, the Owner wishes to purchase a property located at \_\_\_\_\_, College Park, MD 20740 ("the Property"), which is, is not a prior rental.

**NOW, THEREFORE**, in consideration of the premises and other good and valuable consideration, Owner hereby declares that the Property is and shall be held, transferred, sold, leased, rented, hypothecated, encumbered, conveyed or otherwise occupied subject to the following covenants, conditions, restrictions, limitations and obligations which shall run with and bind the Property or any part thereof, and shall inure to the benefit of and be enforceable by the City, its successors and assigns.

1. The recitals set forth above as well as the foregoing "NOW, THEREFORE," are incorporated herein as operative provisions of this Agreement.

2. In consideration of a conditional grant of \$5,000/\$10,000 paid by the City for the sole purpose of providing funds to be used at the closing on the property known as \_\_\_\_\_ College Park, Maryland 20740, being more particularly described \_\_\_\_\_ as

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the Owner agrees as follows:

A. The Owner will maintain adequate insurance on the property. The City shall be named loss payee for the period that the Owner is obligated to the City as provided herein.

B. Should the Owner die and/or sell any part or all of said property or should title to said property be acquired by any person other than the Owner for any reason whatsoever, said Owner or their personal representatives agree to repay the City in the following manner:

    i. If Title is transferred within one (1) year of the date of this Agreement, to repay the City 100% of the funds.

    ii. If Title is transferred within two (2) years of the date of this Agreement, to repay the City 80% of the funds.

    iii. The repayment amount will decrease at the rate of 20% for each succeeding year in like manner.

Five years after the date of this Agreement, Owner will be under no obligation to repay funds if all Owner' obligations under this Agreement have been met. In the event of a mortgage foreclosure of the property within the five (5) year period, the obligation to repay funds shall be in accordance with this paragraph.

C. The Owner shall physically reside at the Property for the five (5)/year period. While physically residing at the Property , the Owner may rent to up to two other persons during the five (5) year period. If not physically residing at the Property, Owner shall not rent to



any other person during the five (5) year period. Should the Owner rent any portion of the property to any person while not physically residing at the Property, or to more than 2 other persons while physically residing at the Property, in violation of this Agreement, then the full sum granted herein shall be repaid to the City.

D. Repayment of any funds pursuant to paragraph B or C shall become due immediately upon the happening of the event that triggers the condition (i.e. sale of the property, non-residence or rental of the property). In addition to any other available remedy, any repayment amount due hereunder which is not paid within thirty (30) days from becoming due shall be included in the real property tax bill and shall be collected as city taxes are collected.

E. This Agreement shall constitute a lien upon the subject real property but shall be immediately released by the City upon compliance with the terms stated herein.

F. This Agreement may not be assigned in any manner by the Owner.

G. This Agreement shall be binding upon the heirs, assigns and personal representatives of the Owner until the provisions of paragraph 2 are complied with. This Agreement shall be recorded among the Land Records of Prince George's County.

H. The Owner shall file an annual certification on a form provided by the City that the Owner is in compliance with the terms of the grant. Failure to file the form as requested is a breach of grant requirements, and may result in the required repayment of grant amounts, as set out in paragraph 2, upon notice from the City.

I. This Property shall be held, conveyed, encumbered, sold, leased, rented, used, and/or occupied subject to the terms and provisions of this Agreement.

J. The City shall have the right to specifically enforce, by any proceeding at law or in equity, including injunction, all restrictions, terms, conditions, covenants and agreements imposed upon the Property and/or the Owner pursuant to the provisions of this agreement. In the event the City is required to enforce this Agreement and the Owner is determined to have violated any provision of this Agreement, the Owner will reimburse the City for all reasonable costs of the proceeding including reasonable attorneys' fees. Should the Owner prevail in any action brought by the City to enforce a provision of this Agreement, the City shall reimburse the Owner for all reasonable costs of the proceeding including reasonable attorneys' fees.

K. This Agreement may not be amended or modified except in a writing executed by all parties hereto, and no waiver of any provision or consent hereunder shall be effective unless executed in writing by the waiving or consenting party.

L. This Agreement shall be construed in accordance with the laws of the State of Maryland. The provisions of this Agreement shall be deemed severable, so that if any provision hereof is declared invalid, all other provisions of this Agreement shall continue in full force and effect.

M. This Notice of Lien is subordinate and subject to the first mortgage by \_\_\_\_\_ dated \_\_\_\_\_, 20\_\_, recorded among the land records of Prince George's County, State of Maryland, immediately prior hereto.

AS WITNESS the Hands and Seals of the Parties hereto:

ATTEST:

\_\_\_\_\_  
Witness \_\_\_\_\_ SEAL

STATE OF MARYLAND

ss:

COUNTY OF \_\_\_\_\_

I HEREBY CERTIFY, that on this \_\_\_\_\_ day of \_\_\_\_\_, 2020 before me, the undersigned officer, personally appeared \_\_\_\_\_ known to me to be the person whose name is subscribed unto the within instrument and he acknowledged that he executed the same for the purposes therein contained.

AS WITNESS my hand and Notarial Seal.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Witness \_\_\_\_\_ SEAL

STATE OF MARYLAND

ss:

COUNTY OF \_\_\_\_\_

I HEREBY CERTIFY, that on this \_\_\_\_\_ day of \_\_\_\_\_, 2020 before me, the undersigned officer, personally appeared \_\_\_\_\_, known to me to be the person whose name is subscribed unto the within instrument and she acknowledged that she executed the same for the purposes therein contained.

AS WITNESS my hand and Notarial Seal.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

WITNESS:

CITY OF COLLEGE PARK

\_\_\_\_\_  
Janeen S. Miller, CMC, Clerk

By: \_\_\_\_\_  
Kenneth A. Young, City Manager

STATE OF MARYLAND

ss:

COUNTY OF PRINCE GEORGES

I HEREBY CERTIFY, that on this \_\_\_\_\_ day of \_\_\_\_\_, 2020  
before me, the undersigned officer, personally appeared Kenneth A. Young, known to me  
to be the City Manager for the City of College Park and the person whose name is  
subscribed unto the within instrument and he acknowledged that he executed the same for  
the purposes therein contained.

AS WITNESS my hand and Notarial Seal.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

THIS IS TO CERTIFY that the within instrument has been prepared under the supervision of the undersigned Maryland attorney-at-law duly admitted to practice before the Court of Appeals.

---

Suellen M. Ferguson

This document shall be recorded in the Land Records of Prince George's County.  
After recording, please return to:

Suellen M. Ferguson, Esq.  
Council, Baradel, Kosmerl & Nolan, P.A.  
125 West Street, 4<sup>th</sup> Floor  
Annapolis, MD 21404

# 14 B

## Agenda Items for Four Cities Meeting

# 15

## Future Agendas



TO: Mayor, City Council, City Manager and Department Directors

FROM: Janeen S. Miller, City Clerk

DATE: October 11, 2023

RE: Future Agendas

The following items are tentatively placed on future agendas. This list has been prepared by the City Manager and me and represents the current schedule for items that will appear on future agendas.

**Tuesday, October 24, 2023**

Quarterly Financial Presentation – Gary Fields, Director of Finance

Quarterly Strategic Plan Presentation – Bill Gardiner, Assistant City Manager

Discussion of a different tax rate on Vacant and Blighted property – Gary Fields, Director of Finance

Regulations prohibiting non-residential vehicle repair on private property – Bob Ryan, Director of Public Services

**Tuesday, November 7, 2023**

Presentation on the Economic Development 5-year Strategic Plan – Michael Williams, Director of Economic Development and HR&A, Consultant

**Tuesday, November 14, 2023**

Proclamation in honor of Brenda Alexander on her upcoming retirement

Oral Argument in case CEO-2023-03 for 4907 Tecumseh

Presentation on the Tree Canopy Assessment conducted by Save A Tree - Robert Marsili, Director of Public Works

Discussion of revisions to the Revitalization Tax Credit Program – Michael Williams

09-12-23: Approval of a contract with Care Solace – Kiaisha Barber, Director, Youth, Family and Senior Services

**Tuesday, December 5, 2023**

Inauguration of incoming Mayor and Council

**Tuesday, December 12, 2023**

Mayor and Council organization meeting

**ANNUAL ITEMS**

January, early: Discussion of Homestead Tax Credit Rate (currently at 0%) (must certify by March 25 to change rate)

January, after an election: Review and adoption of Council Rules and Procedures

January: Review annual reports and workplans from advisory boards

March: Annual Review/Renewal of Insurance Contracts

March: Annual Economic Development Report

April and September: Comments on the M-NCPPC budget

June: Review of applications for advisory board vacancies and annual appointments

Early Fall: Annual presentation from SHA on projects in the City (schedule prior to CTP discussion)

Fall: Annual police agency presentation

**MASTER LIST**

Quarterly Financial Presentations:

2023 Appointments to fill advisory board vacancies: December 2023 for January 2024 term



## Four Cities Meetings:

04-05-22: Discussion of the Council Subcommittee proposal

07-05-22: Affordable Housing Study — MARCH OR DURING COUNCIL RETREAT

09-13-22: Follow up discussion on options for protected bike lanes on Rhode Island Avenue

Discussion of expansion plans for the Junior Tennis Champion Center in the Discovery District

Resolution to establish a Council Compensation Review Committee prior to the 2025 General Election

Follow up to July 11 discussion about plans for the additional revenue from the 3-cent increase in taxes on commercial, industrial and apartments – Subcommittee report

07-11-23: Discussion of Ranked Choice Voting (January 2024)

(23-G-120) Consideration of a letter to M-NCPPC Parks and Recreation copying the County Council regarding the mandatory dedication of park land – Miriam Bader, Director of Planning

09-05-23: Follow up discussion on traffic calming/traffic control in the 7200 block of Rhode Island Avenue (Council referred the matter to the Bike/Ped Committee and City Engineer to return with a recommendation) – Steve Halpern, City Engineer

09-05-23: Oral Argument on Appeal Number CEO-2023-03, re Chain Link Fence at 4907 Tecumseh Street – Miriam Bader, Director of Planning

09-12-23: Consider amendments to the City Code that would prohibit certain yard furniture and provide for fines for non-compliance (January 2024)

09-12-23: Resolution to establish the policy/procedure to handle small cell wireless

(23-CR-02) Consideration of Charter Amendment 23-CR-02 removing the authorization for Urban Renewal from the City Charter (follow up from September 5 meeting)

09-12-23: Discussion with WSSC regarding rate increase and billing – pending receipt of request form (Esters)

09-19-23: Discuss prohibiting commercial vehicle repair on private property

09-26-23: Discussion of a gas powered leaf blower elimination incentive program

<b>City of College Park</b> <b>Annual Proclamation List for 2023</b> (Proclamations Approved 08/10/2021 21-R-15)		
	<b>2023 Dates</b>	
January	10	Martin Luther King, Jr.
February	14	Black History Month
February	14	Women's Heart Health Month
February	28	Women's History Month (March 1)
April	18	Arbor Day (April 28)
April	18	Children's Mental Health Week (May 1-7)
May	16	Kids To Parks Day (May 20)
May	16	Bike To Work Day (May 19)
May	23	Chesapeake Bay Awareness Week (June 4-12)
May	16	Volunteer Appreciation Month (the date may shift to coincide with the City's annual appreciation event)
June	6	Immigrant Heritage Month
June	6	Juneteenth
June	6	LGBTQ Pride Month
June	13	Pollinator Week (for 3 <sup>rd</sup> full week in June)
September	12	Suicide Prevention Month
September	12	Hispanic Heritage Month (Sept. 15 through Oct. 15)
September	26	Mayor's Monarch Pledge proclamation (end of September for the 1st Saturday in October)
October	3	Indigenous Peoples' Day
October		Business of the Year recipient
November	8	Municipal Government Works Month (MML Banner City requirement)
November	14	Small Business Saturday